

Item	Further information request	Era response
5	<p>Stormwater</p> <p>Stormwater system: Design.</p> <p>More detail required:</p> <ul style="list-style-type: none"> · Provide stormwater long sections for major internal stormwater alignments, sized to convey the 5% AEP storm event. · Provide details for general stormwater concepts for drainage of fire truck access road and building areas. · Provide detail for swale adjacent to entry road and proposed discharge point to Rifle Range Road. · Provide cross sections of detention and bioretention basins with invert levels of stormwater infrastructure and bypass system for major events. · Provide details of maintenance access road to detention and bioretention basin with turning head for 8.8m service vehicle at a minimum. · Provide details of proposed upgraded table drain along Rifle Range Road and existing table drain discharge location. 	<p>The Concept Services Report and civil engineering drawings in Appendix J have been updated to address this item, including:</p> <ul style="list-style-type: none"> · Concept stormwater design longitudinal sections are provided in drawings C410-412. Detailed hydraulic design of the system to cater for the 5% AEP rainfall runoff shall be undertaken for building approval once the detailed landscape design is finalised. As noted in the concept services report, on site detention shall be provided to ensure that post development runoff (up to a 5% AEP rainfall event) does not exceed the 5% AEP pre-development runoff. · Refer to drawing C700 for typical roadway cross sections and drawings C400-402 for site stormwater plans. · Refer to Pitt and Sherry's drawings in Appendix L for design of the swale adjacent to entry road and proposed discharge point to Rifle Range Road. · Refer to drawing C701 for a cross section of the concept design detention and bioretention basin arrangement and outlet pipe. Refer to drawing C400 for plan detail and detention basin overflow channel schematic design. · An unsealed gravel access road shall be provided as the maintenance access road to the detention and bioretention basins. This access road shall match the fire access road as detailed on drawing C700. Refer to drawing C200 for the turning manoeuvre of an 8.8 m service vehicle on this road. · Refer to Pitt and Sherry's drawings in Appendix L for the proposed design of the table drain along Rifle Range Road.
6	<p>Stormwater system: Quality</p> <p>Bioretention size has been reduced from the area estimation (based on the Derwent Estuary Program recommendations) using MUSIC modelling.</p> <ul style="list-style-type: none"> · Provide MUSIC treatment train, pollutant reduction output and MUSIC model file for confirmation of bioretention size calculations. · Provide details on stormwater quality improvements through the proposed swale adjacent to the access driveway from Rifle Range Road, and how runoff from the driveway can be cleaned to meet Council's water quality treatment targets specified in Gandy and Roberts' report. 	<p>The Concept Services Report and civil engineering drawings in Appendix J have been updated to address this item, including:</p> <ul style="list-style-type: none"> · In conjunction with submitting the MUSIC model to Council for review, additional model information and results have been provided within the updated Concept Services Report. · Refer to Pitt and Sherry's drawings in Appendix L for details on stormwater improvements along Rifle Range Road. · A bioretention basin maintenance checklist has been provided in the updated Concept Services Report

Item	Further information request	Era response
	<ul style="list-style-type: none"> Provide details on maintenance schedules and responsibilities for detention and bioretention basins. 	detailing the inspection requirements and frequencies. This maintenance checklist shall also apply for the detention basin, with a consolidated document to be provided during detailed design which shall be integrated into the facilities' management systems manuals.
7	Soil and Water Management Plan (SWMP) Because of the proximity to the Bagdad Rivulet, provide a Soil and Water Management Plan including erosion and sediment control measures during construction (basins, silt fencing, stabilised entry/exit, etc.).	As discussed with Southern Midlands Council, we request that this be included as a condition on the planning permit, to be provided prior to start of works on site. This will allow the SWMP to be developed in conjunction with the builder and site manager and will ensure that the SWMP is appropriate at the time of construction.
8	On site sewer disposal As the site cannot be connected to the Taswater sewer network and is identified within the SES 1% + CC shows H1 hazard level overland flow, please provide a Wastewater Assessment and Design Report prepared by a suitably qualified person to demonstrate that wastewater can be effectively be treated on the site.	Refer to the updated Concept Services Report in Appendix J for post-development overland flow mapping. The proposed sewer treatment areas are located outside of the post-development 1% AEP overland flow extents. Refer to the updated Concept Services Report for sewer servicing concept design information and Onsite Wastewater Management Systems (OWMS) calculations. It should be noted that these calculations have been undertaken based on the concept design, and are to be verified during detailed design.
9	Response to 20.3.1 P3 and P4 Please provide a written response to the Performance Criteria of 20.3.1 P3 and P4.	The supporting planning report has been updated to address P3 and P4 of Clause 20.3.1.
10	Attenuation Code Clause C9.5.2 of the TPS requires that sensitive uses within an attenuation area must not interfere with or constrain an existing activity listed in Tables C9.1 or C9.2. Please provide a written response to address cl. C9.5.2 of the scheme as it relates to Tas Botanicals. In addition, please provide a written response to address cl. C9.5.2 9 of the scheme as it relates to noise from the Hobart Clay Target Club and the outside use of the Custodial Facility.	The supporting planning report has been updated to include a map showing the activities near the site with attenuation distance, and an assessment of whether they are applicable to the proposal. As discussed with Southern Midlands Council, no further updates were required to be made to the Acoustic assessment in Appendix I.
11	Flood-Prone Areas Hazard Code The SES 1% + CC shows H1 hazard level overland flow on the property, therefore the land is subject to risk from flood or has the potential to cause increased risk from flood. Council requests that a Flood Hazard Report be prepared by a suitably qualified person. Also, please provide a Stormwater Management Plan prepare by a	Refer to Section 2.1 and Appendix A of the updated Concept Services Report, provided in Appendix J, for an assessment of overland flow across the site, including pre- and post-development flow mapping for the 1% AEP + CC rainfall event. A revised flow path is proposed to redirect all overland flow

Item	Further information request	Era response
	suitably qualified person that demonstrates the pre and post overland flow paths.	around the site perimeter, ensuring an acceptable risk of inundation for the new buildings and users of the facility.
12	RFI from Taswater Please see attached RFI from Taswater RAI TWDA 2025-01081-STM	See below.
TasWater		
1	The proposed water connection requires additional detail. Noting the proposed connection point, please clarify how the meter will be accessed 24/7 by TasWater personnel for repairs and maintenance – plans must show proposed parking and any fences/gates that must be accessed, given the purpose of the development. An alternative approach would be to construct/upgrade a new water main along Rifle Range Rd, which would enable building a single water main for a longer distance before the meter, then a shorter distance of separated fire and domestic pipework.	As recommended, the water connection to the site has been relocated since the original submission. It is now proposed to connect to the water main along Rifle Range Road, connecting through to the southern boundary of the site. Details of this are shown in the drawings prepared by Pitt and Sherry in Appendix L.
2	It is noted that the current proposed water connection to the development will require works to be carried out on land that does not currently form part of the application, being CT 172515/1 (relevant land). Therefore, please provide copies of the full Certificate(s) of Title (Folio Plan, Folio Text,) for the relevant adjoining land, (C.T. 172515/1) (if a title exists – often doesn't for Crown Land). Alternatively, please provide confirmation that the works that are to be carried out on the relevant land are exempt from requiring approval under the planning scheme and the reasons for it. Please note that any planning approval that is obtained does not authorise construction of any infrastructure works on the relevant land, and where the infrastructure is to be transferred to TasWater an easement will be required for the protection of that infrastructure prior to TasWater providing building approval.	As detailed above, the proposed water connection has now been relocated.

Should you have any questions or would like to discuss further please do not hesitate to contact me on 03 6135 0443 or at monica@era-advisory.com.au.

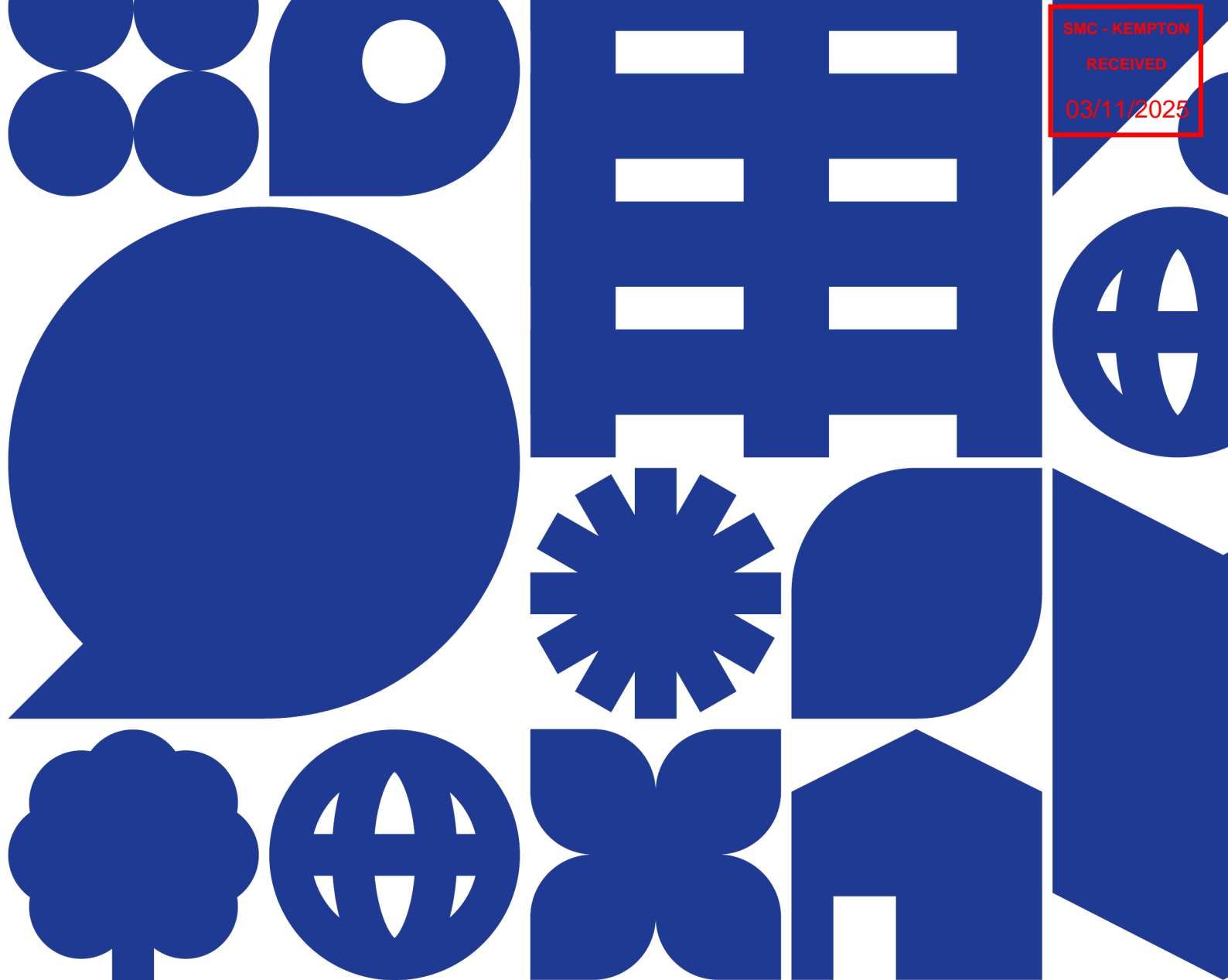
Yours sincerely,



Monica Cameron
Principal Planner

Attachments

- Application form and landowner consent*
- Supporting planning report*
- Appendix A: Certificate of Title*
- Appendix B: Architectural plans*
- Appendix C: Signage plans*
- Appendix D: Landscaping plans*
- Appendix E: Traffic impact assessment*
- Appendix F: Natural values assessment*
- Appendix G: Bushfire hazard management plan*
- Appendix H: Agricultural assessment*
- Appendix I: Acoustic assessment*
- Appendix J: Concept servicing report and plans*
- Appendix K: Building services plans*
- Appendix L: New access road and water supply plans*
- Rifle Range Road Early Works Design drawings*



Tasmanian Youth Justice Facility

Supporting planning report

Era Advisory acknowledge palawa as the Traditional Owners of lutruwita (Tasmania).

They are the original custodians of our land, sky and waters.

We respect their unique ability to care for country and deep spiritual connection to it.

We honour and pay our respect to Elders past and present, whose knowledge and wisdom has and will ensure the continuation of culture and traditional practices.

We acknowledge that their sovereignty has never been ceded.

Always was, always will be.

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Date	3 November 2025
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Author	Monica Cameron
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Reviewer	Clare Hester
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Job number	2425-077
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Permit overview

Permit application details

Applicant	Department for Education, Children and Young People
Owner	The Crown (Authority: Department for Education, Children and Young People)
Address	466 Brighton Road, Pontville TAS 7030
Lot description	Folio of the Register 188959, Lot 1
Description of proposal	The use and development of a custodial facility

Relevant Planning Provisions

Applicable planning scheme	Tasmanian Planning Scheme – Southern Midlands
Zone	20.0 Rural
Codes	<ul style="list-style-type: none"> • C1.0 Signs code • C2.0 Parking and sustainable transport code • C3.0 Road and railway assets code • C7.0 Natural assets code • C8.0 Scenic protection code • C9.0 Attenuation code • C13.0 Bushfire-prone areas code
Discretions	<ul style="list-style-type: none"> • Clause 20.3.1 Discretionary uses (P1 and P2) • Clause 20.4.2 Setbacks (P2) • Clause C1.6.2 Illuminated signs (P1) • Clause C2.5.3 Motorcycle parking numbers (P1) • Clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction (P1) • Clause C7.6.2 Clearance within a priority vegetation area (P1.1 and P1.2) • Clause C8.6.2 Development within a scenic road corridor (P2) • Clause C9.5.2 Sensitive use within an attenuation area (P1) • Clause C13.5.1 Vulnerable uses (P1)

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Appendix B Architectural plans

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Appendix E Traffic impact assessment

Appendix F Natural values assessment

Appendix G Bushfire hazard management plan and assessment

Appendix H Agricultural assessment

Appendix I Acoustic assessment

Appendix J Concept servicing report and plan

Appendix K Building services plans

Appendix L New access road and water supply plans

1 Introduction

1.1 Purpose of the report

Era Advisory (Era) has been engaged by the Department for Education, Children and Young People (DECYP) to seek a planning permit for the use and development of a custodial facility at 466 Brighton Road, Pontville. This report provides a supporting planning submission providing relevant background material, project details and an assessment against the relevant planning scheme provisions.

1.2 Enquiries

Enquiries relating to this planning report should be directed to:

Monica Cameron
Principal Planner
Era Advisory
enquiries@era-advisory.com.au
03 6165 0443

1.3 Planning authority

The Planning Authority is the Southern Midlands Council. The subject site is located just north of the local government area boundary line that Southern Midlands Council shares with Brighton Council. Refer to Figure 1.



Figure 1 – Local government area boundary between Southern Midlands Council and Brighton Council (shown in orange) in relation to the subject site (shown in blue) (Source: the LIST, 20 October 2025)

1.4 Planning scheme

The application must be considered against the provisions of the *Tasmanian Planning Scheme – Southern Midlands* (planning scheme).

1.5 Title documentation

Table 1 identifies the title that comprises the subject site.

Table 1 – Certificate of Title details of subject site

Address	PID	Title reference	Land owner	Authority
466 Brighton Road, Pontville	3523093	188959/1	The Crown	Department for Education, Children and Young People

Title documentation is provided in Appendix A.

Landowner consent has been obtained and provided to Southern Midlands Council in accordance with Section 52(1B) of the *Land Use Planning and Approvals Act 1993*.

2 Background

The Tasmanian Government is committed to closing the Ashley Youth Detention Centre (AYDC) and replacing it with a new secure detention facility that promotes the development of trusting and therapeutic relationships between staff and children and young people.

The closure of the AYDC was a recommendation from the Commission of Inquiry into the *Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings* (COI). The COI found that there are high rates of sexual abuse of children in detention, making children in detention among the most vulnerable in our community to this abuse. The COI recommended that the AYDC be closed and replaced with a small, homelike facility that incorporates design features that reflect best practice international youth detention facilities.

The purpose of the new Tasmanian Youth Justice Facility (the facility) is to provide:

- A safe, secure and rehabilitative facility for children and young people where healing and wellbeing is the primary focus.
- An environment where children and young people are supported to address their offending behaviour and successfully return to be part of the community and live bright lives and positive futures.
- An environment where children, young people, staff and visitors feel safe and supported.
- The community with confidence that children and young people in detention are in a safe, purpose-built facility that provides a high standard of care and rehabilitation support.

The facility will be built at 466 Brighton Road, Pontville, with a new access to the site provided off Rifle Range Road. Rifle Range Road will be upgraded to support this use.

The facility will provide an environment where children and young people experience the highest standards of child-centred, rights-based and therapeutic care, where they are provided with education, services and opportunities that support them to enhance connections and return successfully to the community.

The facility will have a non-institutional feel and be low-lying in the landscape. A 'building as perimeter' model has been adopted, which means views from within the buildings and houses in the facility will have clear sight lines to the surrounding rural land and the hills forming the valley in which it sits. The site allows the facility to sit approximately 150 m away from surrounding uses. It is expected that the open space around the facility will continue to be used for rural activities.

The design of the facility is being guided by a model of care which adopts evidence-based trauma-informed principles to provide a therapeutic environment that acknowledges the trauma histories that exist for many of the young people in the youth justice system. The safety, both physical and psychological, of children and young people, staff and neighbours has been at the forefront of the facility's design.

An experienced design team, comprising Adelaide design studio Grieve Gillet Architects, in association with Xsquared Architects (Hobart) and Guymer Bailey Architects (Melbourne), has been engaged to provide full architectural design services for the proposal, in combination with a team of specialist consultants from both Hobart and interstate. As a result, the facility has been designed to align to the

recommendations of the COI and has been informed by advice received from the Youth Justice Reform Expert Panel, Youth Justice Community Advisory Group and input from key stakeholders.

Five key design principles underpin the design of the facility:

- Normalisation of environment
- Therapeutic and trauma-informed design
- Biophilic design
- Culturally appropriate design
- Safety and security.

These are detailed further below in Table 2.

Table 2 – Key design principles (Source: Grieve Gillet Architects)

Normalisation of environment	Therapeutic and trauma-informed design	Biophilic design	Culturally appropriate design	Safety and security
<ul style="list-style-type: none"> • Allow children to manage their life by creating normalised daily routines and activities to give them a better chance to adjust into society upon release. • Give children and young people and staff an environment they feel proud of and are responsible for, to encourage them to treat it with respect. • Provide an environment that can contribute to a positive change in mood about the environment, themselves and each other. 	<ul style="list-style-type: none"> • Focus the design on rehabilitation, education, reintegration and healing. • Actively engage individuals in a dynamic, multisensory environment. • Support self-reliance and self-autonomy. • Provide and promote connections to the natural world. • Separate individuals from others who may be in distress. • Reinforce a sense of personal and cultural identity. • Promote the opportunity for choice when balancing program needs and the safety and comfort of the majority. 	<ul style="list-style-type: none"> • Allow for exposure to nature to provide positive responses on human psychology and physiology in contribution to improved health and wellbeing. • Ensure thoughtful placement of windows with consideration of natural sun movements and understanding of wind movement specific to the site. • Ensure visual access to external spaces and borrowed landscapes using natural materials. • Avoid stark and harsh landscapes often found in detention facilities due to perceived security and maintenance implications. • Ensure views to gardens and nature are provided as often 	<ul style="list-style-type: none"> • Facilitate and promote connections with families and communities through facility design. • Provide options for community connection. • Use technology to support safe and frequent communication with family and friends. 	<ul style="list-style-type: none"> • Prioritise the safety and wellbeing of young people, staff and the broader community at all times. • Security is embedded in design through layered and unobtrusive measures to support safety and therapeutic care. • Spaces are designed to reduce risk, support staff visibility and provide calm and controlled environments. • Security will remain a fundamental requirement across all aspects of the design.

Normalisation of
environment

Therapeutic and
trauma- informed
design

Biophilic design

Culturally
appropriate
design

Safety and
security

as possible, even
if direct access to
these areas is not
feasible.

3 Community engagement

The Tasmanian Government announced in September 2021 that the AYDC would be closed. In 2022, Era Advisory (Era) were engaged by DECYP to undertake a review of potential sites across Southern Tasmania for the new youth justice facility.

A range of criteria were developed to identify suitable sites, and then these were narrowed down based on a more detailed planning analysis and advice from the Department for Children and Young People (DECYP). Ultimately, two sites were chosen as shortlisted sites for the new facility: 466 Brighton Road, Pontville, and 972 East Derwent Highway, Risdon. Public consultation was subsequently undertaken from 23 March to 4 May 2023 by the Tasmanian Government, ensuring all relevant stakeholders and the community had an opportunity to provide feedback.

The consultation process included newspaper, radio and social media advertising, direct mailouts, and four community drop-in sessions. Feedback was provided via an online feedback form, emails, hard copy submissions at the drop-in sessions, letters to the Minister, and social media. A total of 340 submissions were received.

The outcome from the public consultation assisted the Tasmanian Government in their decision-making, resulting in the current site, 466 Brighton Road, Pontville, being the preferred site to progress to a further level of analysis by technical experts. Investigations for that analysis included:

- Aboriginal cultural heritage assessments
- Natural values assessments
- Noise monitoring
- Geotechnical assessments
- Infrastructure feasibility assessments.

The assessments took 12 months to complete and involved a range of onsite investigations, research and reporting, and consideration of the final recommendations by the Tasmanian Government.

Based on the feedback received and feasibility investigations, the preferred site for the new facility was determined to be 466 Brighton Road, with access to be provided off Rifle Range Road.

Once the site was chosen, feedback was obtained from the community and key stakeholders to inform the development of a master plan for the facility by a team of specialists. The master plan was subsequently released for public comment on 5 May 2025 for a three-week period.

The master plan was published online at the start of this three-week period, inviting stakeholders and the broader community to review the document and share their feedback. The aim was to make the process easy and accessible, with the goal of gathering meaningful input from the broader community and stakeholders to inform the project's development.

Community members, nearby landowners, businesses, Aboriginal communities, and service providers were invited to take part. The consultation was promoted through the DECYP website and social media, and letters were delivered to all residents and landowners within two kilometres of the proposed facility site at 466 Brighton Road, Pontville.

A range of engagement methods were used, including:

- Meetings both online and in person
- Community drop-in sessions
- Inviting written feedback
- Targeted engagement with key stakeholders.

The consultation received strong interest from the community and key stakeholders, which has contributed to the design of the facility subject to this planning permit application to Southern Midlands Council for assessment.

A summary of the feedback is provided below:

- Adjacent landowners and businesses raised concerns about safety and security, location, and infrastructure, seeking more transparency and reassurance. The landowners had varied perspectives and an interest in finding out more.
- Feedback received from Aboriginal people reflects a strong desire for cultural safety, meaningful Aboriginal engagement, and trauma-informed care. Stakeholders seek trust, connection, and a healing-focused transition, emphasising collaboration and support for long-term community collaboration.
- Service providers raised concerns about the facility's location – especially its closeness to a medicinal cannabis facility and gun clubs – as well as its infrastructure, environmental impact, and access for visitors. They agreed with the need for inclusive, trauma-informed, home-like spaces that avoid institutional features. Keeping young people connected to family and community is vital. There is strong support for early intervention, transparency, and working with the community to ensure safe and respectful rehabilitation.
- Feedback from the broader community highlights concerns about the facility's location, accessibility, and design, questioning whether it will truly support rehabilitation. There was a focus on how the facility will function in practice rather than raising concerns about the approach itself.

Overall, community members and stakeholders have expressed that they would like more transparency and reassurance about the facility's positioning on the site, security, and design. There is strong support for cultural safety and trauma-informed care, with a focus on trust, connection, and healing.

There remain concerns about how well the facility will work in practice, particularly given the proximity to the medicinal cannabis facility and gun clubs. Overall, the feedback reflects concern, hope, and a push for practical solutions.

4 The proposal

4.1 Overview

The facility is designed to house up to 24 young people, comprising 20 residential beds, two treatment beds in the health centre, and two orientation beds in the admissions area. The facility will include a health centre providing health and mental support, education and recreation facilities, and a cultural centre and garden. Landscaping will also be provided across the site. Refer to Figure 2 for an architectural render of the entrance to the facility.



Figure 2 – Architectural render of the entry building, Building A (Source: Grieve Gillet Architects)

The facility is proposed to be located at 466 Brighton Road, Pontville (PID: 3523093). The site is owned by the Crown and is approximately 32 ha in size, situated between the Midland Highway and Brighton Road. The site is currently used to house ex-racehorses and contains small paddocks divided by shelter belts of eucalypts.

The proposed site is located entirely in the Southern Midlands Local Government Area. Under the relevant planning scheme, the *Tasmanian Planning Scheme – Southern Midlands*, the site is zoned Rural and is subject to the following overlays:

- Bushfire-prone areas – applicable to the entire site
- Scenic road corridor – small part of the eastern section of the site associated with buffer of the Midland Highway
- Priority vegetation area – small part of the eastern / southern section of the site.

Refer to Figure 19 and Figure 20 showing the zoning and overlays applicable to the site and surrounds.

4.2 Use

The facility falls under the Custodial Facility use class, which is a discretionary use in the Rural zone.

The proposed use comprises 24 beds for children and young people; however, two of these are in the health centre and two in the admissions centre. It is also anticipated that the facility will rarely operate at full capacity, based on the current operations at AYDC and the proposed reform in youth justice based on the findings of the COI. It is anticipated that there will be a total daily staff presence of around 100 staff members, with an additional approximately 40 staff for brief periods during shift changeover periods. The facility will be operational 24 hours a day, seven days a week.

4.3 Development summary

A summary of the proposed development is provided in Table 3 below.

Table 3 – Development summary

Item	Provision
Site area	32.3 ha
Total floor area	8,200 m ²
Site coverage	2.5%
Maximum overall building height	11.9 m
Beds for occupants	24 beds, including 20 resident beds, two admission beds and two treatment beds in the health centre
Car parking spaces	111 formal spaces, comprising 12 visitor parking spaces and 99 staff parking spaces. An overflow car park is also provided with capacity for approximately 10 spaces.

4.4 Staging

No staging of this planning permit application is proposed.

4.5 Demolition

Some existing internal fencing and vegetation is proposed to be removed from the subject site to facilitate the proposed development.

4.6 Built form

The proposed development comprises several buildings, car parking, internal roads, fencing, recreational facilities, landscaping, servicing, and other ancillary works. These are detailed below:

- Building A: Entry building and sally port¹. The entry building comprises two levels, with a waiting area, office space, storage and utility rooms on the ground level, and secure, staff spaces on the first floor. The building has an overall height of 10.4 m.
- Building B: Maintenance and storage shed with two water tanks adjoining. The maintenance building is single-storey with an overall height of 5.5 m, and comprises storage, office and workshop spaces, and room for maintenance vehicles. The two water tanks have a 11.5 m diameter and are 2.5 m in height.
- Buildings C and D: Admissions building and health centre. These buildings are two-storey with an overall height of 9.8 m. At ground level the buildings include a reception area, staff and storage rooms, lounge areas, two orientation beds, two health beds, a number of counselling, interview and treatment rooms, nurses' station and clinical offices. Plant space is provided at the upper level.
- Building E: Visitor building and café. This building comprises spaces for visitors, including both indoor and outdoor spaces, a kitchen and dining area. The building is two-storey (with a plant room on the first level) and has an overall height of 9.95 m.
- Building F: Administration building. This building is two-storey and is 11.8 m in height. The ground level comprises office spaces, open workspaces, interview rooms, quiet rooms and meeting rooms. The upper level has a plant room, roof garden with outdoor seating, and indoor lounge areas.
- Building G: Education building. The education space has several classrooms and two adjoining courtyards at ground level, and a plant room on the upper level. The building has an overall height of 9.0 m.
- Building H: Recreation building and swimming pool. This two-storey building comprises a gymnasium, weights room, outdoor roofed pool, and amenities at ground level; a plant room is proposed on the upper level. The building has an overall height of 11.6 m.
- Building J: Accommodation. This two-storey building comprises two adjoining 'houses', connected by a corridor, one with three bedrooms and the other with four bedrooms. Plant space is provided on the upper level. Both houses comprise facilities typical of a normal dwelling, such as a kitchen/dining/living room, games room, laundry and bathrooms, as well as staff facilities. Each house also has a secure yard that is accessed via the open plan kitchen/living/dining room. The accommodation buildings have an overall height of 11.1 m.
- Building K: Accommodation. This two-storey building also comprises two adjoining 'houses', connected by a corridor, one with three bedrooms and the other with four bedrooms. Both comprise facilities typical of a normal dwelling, such as a kitchen/dining/living room, games room, laundry and bathrooms, as well as staff facilities. Each house also has a secure yard that is accessed via the open plan kitchen/living/dining room. Plant space is provided on the upper level. The accommodation buildings have an overall height of 11.3 m.
- Building L: Accommodation. This two-storey building presents as two single-bedroom units conjoined, each with an individual entrance, bedroom, bathroom, and kitchen/dining/living room. Between the two units is a staff study and corridor. Plant space is provided on the upper level. The accommodation building has an overall height of 9.0 m.
- Building M: Cultural centre with landscaped courtyard. This single-storey, round building predominantly comprises a community space, with a kitchen, bathrooms and plant space. It has an overall height of 6.0 m.
- Building N: Accommodation. This two-storey building comprises four bedrooms, recreational spaces, open plan kitchen/living/dining area with an adjoining secure outdoor space, and staff facilities. Plant space is provided on the upper level. The accommodation building has an overall height of 11.2 m.

¹ A sally port is a secure and controlled vehicle entrance into the facility.

- Cultural courtyard, entrance forecourt, sports court, a bouldering area, pump track, oval, basketball court, internal roads/tracks and landscaping inside the secure area.
- Entry sign and fencing across the site.

For further details refer to the architectural plans prepared by Grieve Gillet Architects, Xsquared Architects and Guymer Bailey Architects provided in Appendix B.

4.7 Fencing

New fencing is proposed on site including:

- A farm-style fence around the property boundary, with a new entry gate near the new access off Rifle Range Road. An intercom is provided at the gate for visitors to use and to provide access control for staff.
- A secure fence, together with the perimeter buildings, forms the secure boundary of the facility. The fence is a 6 m high, secure, steel, anti-climb fence with a roller drum on top. The perimeter fence has a sterile zone inside that is delineated by a lower courtesy fence or landscaping.

The following exemption is provided for fences in the Rural zone under Clauses 4.6.6 and 4.6.7 of the planning scheme:

Fences within the Rural Zone or Agriculture Zone, unless the Local Historic Heritage Code applies and requires a permit for the use or development.

Temporary fencing if for public safety, construction works or occasional sporting, social or cultural events.

As the site is zoned Rural and is not subject to the Local Historic Heritage Code, all proposed fencing on site, both temporary fencing for construction purposes and permanent fencing, is exempt from requiring a planning permit.

4.8 Parking and access

The site currently has vehicular access via an existing crossover to Brighton Road; it is proposed to retain this, but it will not be used by the facility. The existing crossover to Rifle Range Road will be removed, and a new crossover is proposed from Rifle Range Road further to the east. This will connect to a central driveway passing through the site and connecting to a car park and the entrance to the facility. A new walkway also runs alongside the main driveway for pedestrian access. New internal roads are also proposed for vehicular access across the site.

The car park comprises 111 parking spaces, including 12 visitor parking spaces and 99 staff parking spaces. Three of these are accessible parking spaces that comply with the *Disability Discrimination Act 1992*. There is also an additional overflow parking area with capacity for approximately 10 vehicles, located at the north-eastern corner of the car park. The main driveway to enter/exit the site is dual carriageway, providing enough space for vehicles to safely enter and exit the site in a forward direction.

The facility is anticipated to generate approximately 150-160 vehicle movements per day, with peak hour movements of 45-55 vehicles during the morning peak, and 50-60 vehicles during the evening peak. The Traffic Impact Assessment has determined that this level of traffic generation can be accommodated in the surrounding road network.

The Traffic Impact Assessment prepared by Midson Traffic is provided in Appendix E.

A private waste contractor will be established for the facility to facilitate the removal of the various waste streams expected to be generated at the site. The frequency of collection will be reviewed with the operator prior to the facility opening.

4.9 Landscaping

Landscaping is proposed across the site, with details provided on the landscaping plans prepared by Playstreet and Inspiring Place, provided at Appendix D. The landscaping on site will play a crucial role in shaping the wellbeing and rehabilitation of young individuals. As such, a variety of outdoor spaces that provide opportunities for physical activity, reflection and a connection with nature have been provided across the site.

4.10 Outdoor lighting

Outdoor lighting has been incorporated into the landscaping and building design, and will be installed in accordance with AS/NZS 1158.3.1, and be compliant with 4282.1, control of the obtrusive effects of outdoor lighting. Outdoor lighting will be directed straight down, sensors installed and pole heights minimised to limit the potential amenity impacts to neighbouring properties.

4.11 Signage

One new sign is proposed at the entrance to the site, which will comprise the name of the facility and provide directions to the main entrance and car park. The sign will also advise that the site is a restricted area and there is no unauthorised access. The sign is approximately 3 m² in size and has a height of 1.75 m including the supporting structure that it sits on.

Internal signage for wayfinding purposes may be developed in the future; however, these will not be visible from outside the site and therefore are exempt from requiring a permit pursuant to Clause C1.4.2 of the planning scheme.

4.12 Servicing

The subject site is not connected to reticulated sewage or water infrastructure. An onsite sewage treatment area is proposed to manage waste produced by the facility. A new water connection is proposed to provide reticulated water to the site.

Stormwater detention and bioretention treatment basins are also proposed to adequately manage stormwater on site.

Refer to the architectural plans provided in Appendix B, the concept servicing plan provided in Appendix J and the building services plans provided in Appendix K.

4.13 Brighton Council works

Any works requiring a planning permit that are proposed in the Brighton Council Local Government Area will be subject to a separate planning permit application and submitted to Brighton Council as the relevant Planning Authority. This includes the proposed works in the Rifle Range Road, road corridor, and the new crossover to the site from Rifle Range Road.

5 Subject site and surrounds

5.1 Site description

The subject site is located at 466 Brighton Road, Pontville, and is situated in the Southern Midlands Council area; refer to Figure 18. The Certificate of Title for the site is CT 188959/1 and is under the ownership of the Crown and managed by the DECYP. A copy of the title can be found at Appendix A. The site is burdened by a pipeline easement that is 6 m wide and located in the access handle to the site to Brighton Road. The site is otherwise unaffected by title restrictions, as shown in Figure 3.

The site has a total area of approximately 32 ha and has three frontages: to Brighton Road (18.18 m in length), the Midland Highway (1,269.97 m in length) and Rifle Range Road (272.19 m in length). Access to the site is provided off Brighton Road via an existing formal crossover, and via an informal crossover from Rifle Range Road. The site is relatively flat with only a minor slope towards the east. There is sparse vegetation across the site with clusters of trees; however, vegetation has been affected by the agistment of horses and other animals on the site.

An assessment of the site indicates there are no identified threatened flora and fauna on the site, but there are six plants of the threatened grass species *Austrostipa bigeniculata* recorded on the roadside adjacent to but outside the site. No specific mitigation or avoidance of threatened fauna or flora is required, as identified in the Natural Values Assessment in Appendix F. Declared weeds, including weeds of national significance and environmental weeds, are abundant and widespread across the survey area.

There are records of TasNetworks and TasWater assets in and around the site, and the site is not connected to reticulated water or sewage infrastructure.

The site is leased and used to agist horses on the land. There is an outbuilding located on the site but no dwellings. The perimeter of the site appears to be fully fenced, and there is fencing internally to keep animals within parts of the site.

The site is zoned Rural under the *Tasmanian Planning Scheme – Southern Midlands*. It is wholly within a bushfire-prone area, and partially in a priority vegetation area, a waterway and coastal protection area, and a scenic road corridor.





Figure 4 – Site entrance from Brighton Road



Figure 5 – Internal site road providing access to existing horse facilities



Figure 6 – Typical site vegetation



Figure 7 – Looking east across the site towards Midland Highway and the medicinal cannabis facility



Figure 8 – Looking north-east towards the Midland Highway



Figure 9 – Looking south-east towards Rifle Range Road

5.2 Surrounding area

Three residential neighbours directly adjoin the site to the west and south, along Brighton Road, as shown in Figure 18. There are three schools in the vicinity – Brighton Primary School and Bridgewater High School Farm within 2.5 km, and Bagdad Primary School approximately 6.3 km from the site. Notable commercial operators near the site include the Lark Distillery, the Tasmanian Pistol and Rifle Club, the Hobart Clay Target Club, and Tasmanian Botanics.

The subject site is approximately 30-45 minutes to the Hobart CBD and is conveniently located adjacent to the Midland Highway for visitors from the north of the state. The nearest bus stop to the site is on the corner of Brighton Road and Bedford Street, approximately 2.7 km from the site.

A range of zonings surround the site, including Rural, Utilities, Agriculture, Particular Purpose, Open Space, Village and Landscape Conservation.



Figure 10 – 478 Brighton Road frontage to Brighton Road



Figure 11 – 478 Brighton Road



Figure 12 – Subject site southern frontage



Figure 13 – Roundabout at the Midland Highway and Brighton Road intersection



Figure 14 – Heritage listed property at 463 Brighton Road



Figure 15 – Infrastructure on the southern side of Brighton Road at 441 Brighton Road



Figure 16 – Site access and view lines



Figure 17 – Rifle Range Road forms the Brighton Council and Southern Midlands Council border



Figure 18 – Aerial image of the subject site, outlined in blue (Source: the LIST, 20 October 2025)

6 Planning controls

6.1 Statutory controls

The site is subject to the provisions of the *Tasmanian Planning Scheme – Southern Midlands* (planning scheme).

The site is zoned Rural under the planning scheme; refer to the zoning map at Figure 19.

The site is subject to the following overlays, as shown in Figure 20:

- Scenic road corridor
- Bushfire-prone area
- Priority vegetation area
- Waterway and coastal protection area.

The site is not listed on the local or state heritage register. However, there are state heritage-listed properties in the vicinity of the site; refer to Figure 21. Notwithstanding, no historic heritage requirements are triggered by the application.

6.2 Specific provisions

The site is not subject to any site-specific qualifications.

6.3 Relevant codes

The following codes from the planning scheme are relevant to the application:

- C1.0 Signs code
- C2.0 Parking and sustainable transport code
- C3.0 Road and railway assets code
- C7.0 Natural assets code
- C8.0 Scenic protection code
- C9.0 Attenuation code
- C13.0 Bushfire-prone areas code

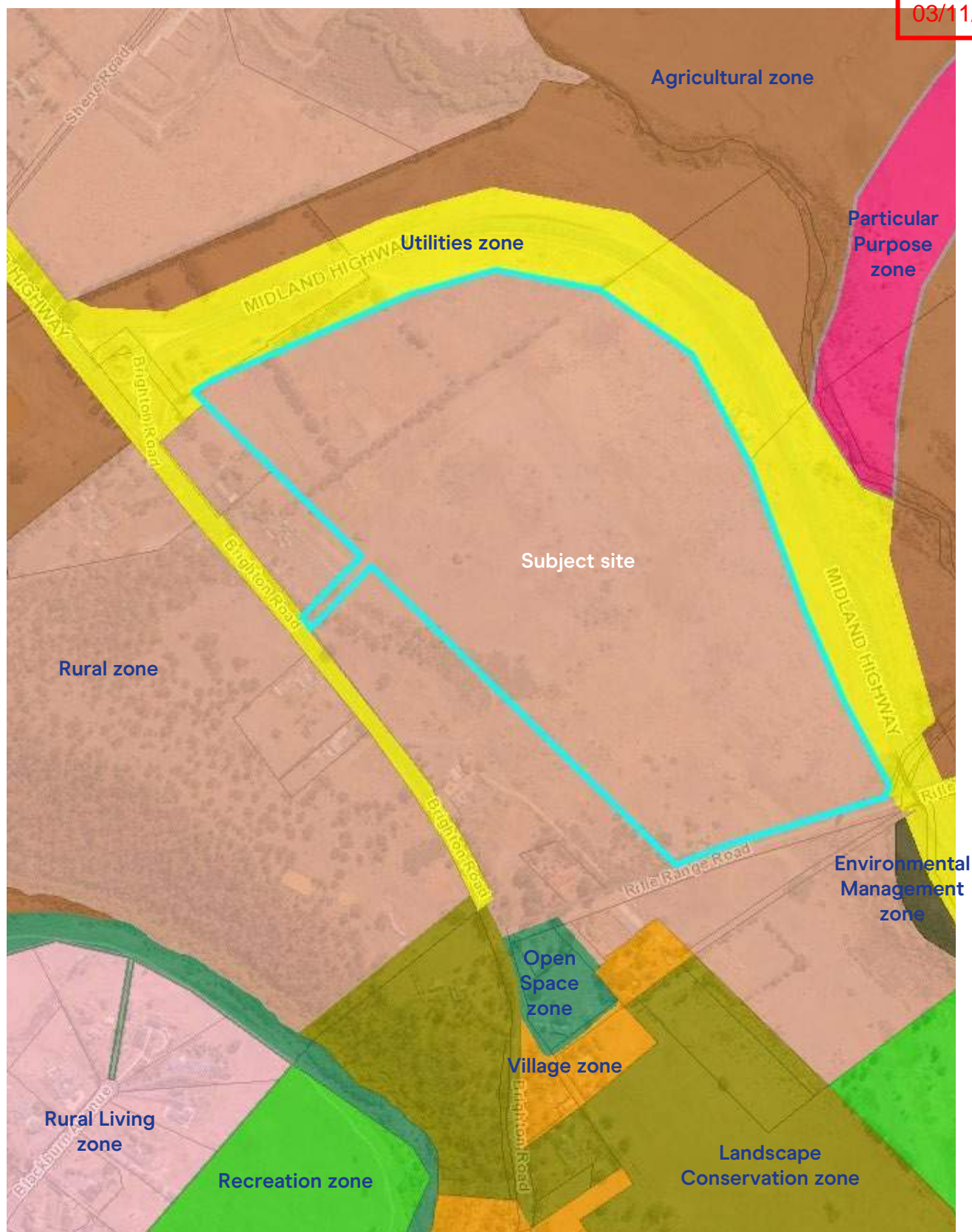


Figure 19 – The subject site, outlined in blue, is zoned Rural, while the surrounding area is subject to a number of different zones (Source: the LIST, 20 October 2025)

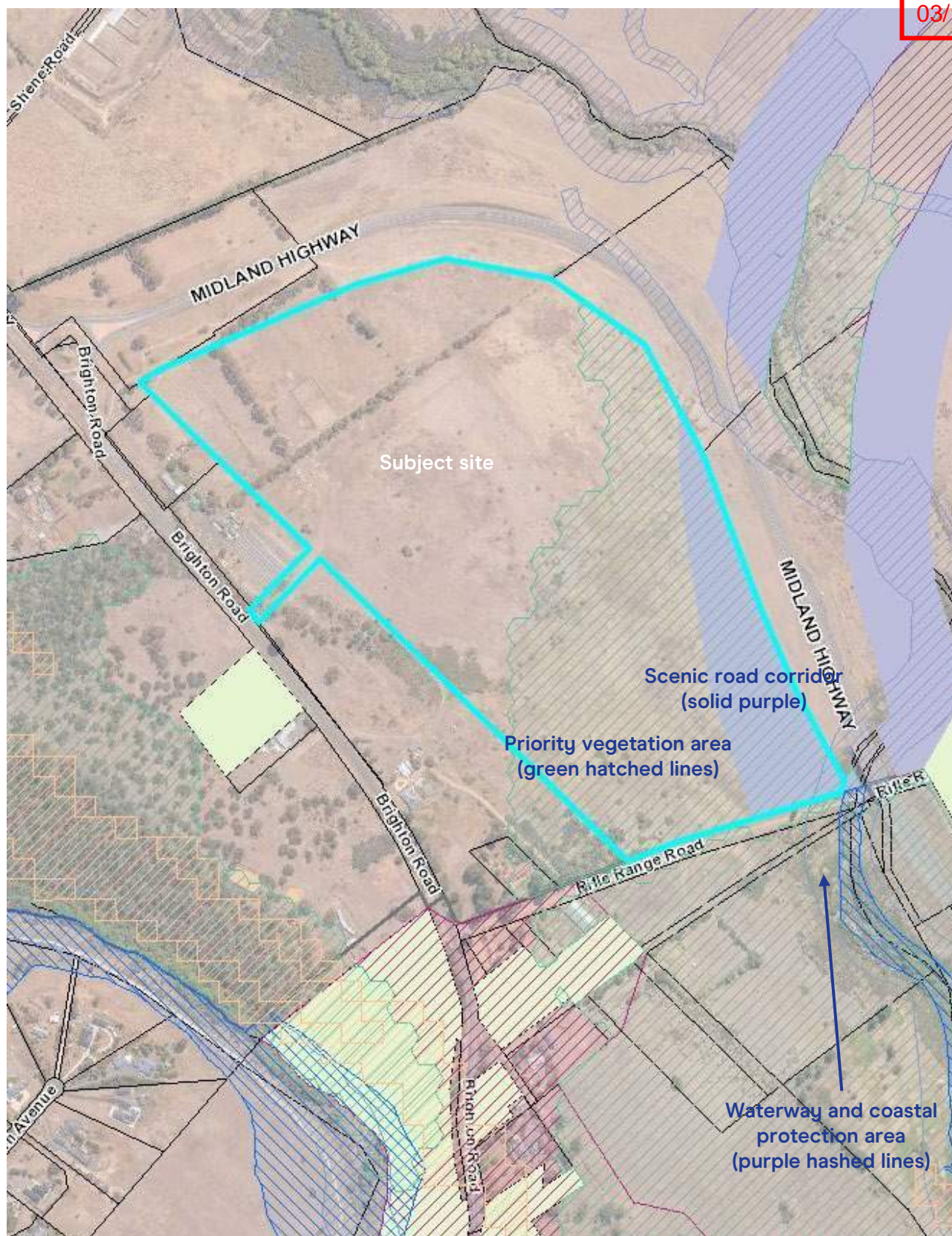


Figure 20 – Overlays relevant to the subject site, outlined in blue, are shown, including the priority vegetation area, scenic road corridor, and waterway and coastal protection area. The site is also in a bushfire-prone area, an overlay that applies to the entire site and is not shown on the above map (Source: the LIST, 20 October 2025)

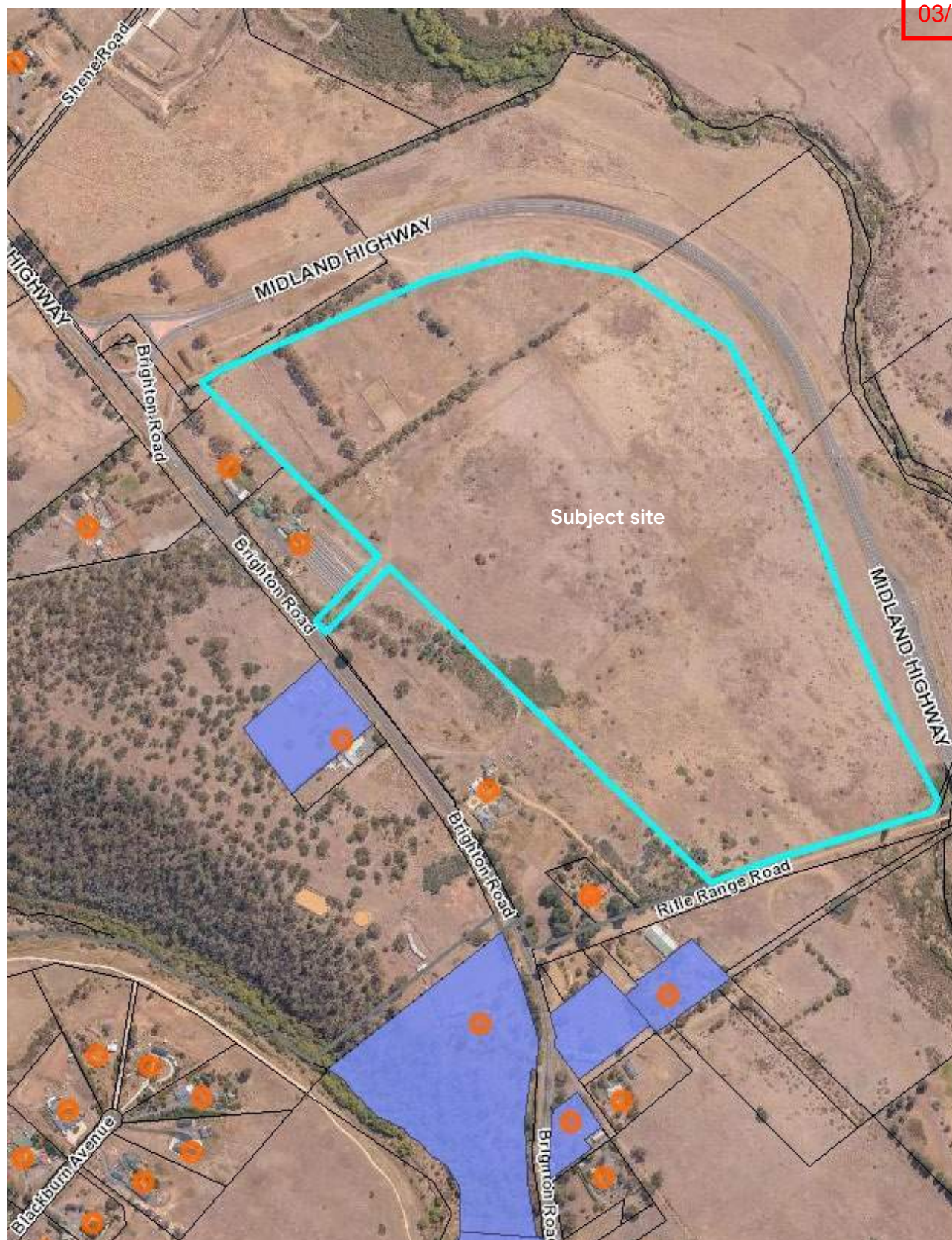


Figure 21 – Aerial image of the subject site (outlined in blue), nearby Tasmanian heritage-listed properties (shown in purple), and nearby residential uses (orange dots) (Source: the LIST, 20 October 2025)

7 Zoning assessment

7.1 Zoning

The site is zoned Rural under the planning scheme. Zoning for the site is depicted in Figure 19.

7.2 Use status

Clause 6.2.1 of the planning scheme requires each proposed use or development to be categorised into one of the Use Classes in Table 6.2 of the planning scheme.

'Custodial Facility' is defined in Table 6.2 of the planning scheme as:

use of land, other than psychiatric facilities, for detaining or reforming persons committed by the courts or for the purpose of court proceedings or police investigations. Examples include a prison, remand centre and any other type of detention facility.

The proposal is best categorised into the Custodial Facility use class, as the Tasmanian Youth Justice Facility is a type of detention facility.

Pursuant to Table 20.2 of the Rural zone in the planning scheme, Custodial Facility is classified as a discretionary use.

7.3 Rural zone

7.3.1 Zone purpose

Clause 20.1 of the planning scheme provides zone purpose statements for the Rural zone. It states:

The purpose of the Rural Zone is:

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.

Clause 6.10.2 of the planning scheme requires the Council to have regard to whether the proposal is consistent with the zone purpose statements when determining an application for a discretionary use.

The proposed custodial facility is required to be in a rural location for operational reasons. A large site was required that allowed for significant setbacks to sensitive receptors and development typical of a secure custodial facility, such as fencing, a large car park and several buildings to accommodate the occupants and staff. The facility will also allow for the existing rural use to continue on the site.

The agricultural assessment report undertaken by Pinion Advisory (Appendix H) found that the site is severely constrained for agricultural land use due to the predominantly low land capability of the ground and the complete absence of irrigation water which limits any potential scale and level of intensification.

The scale and intensity of the use is not unusual for the area and is compatible with agricultural use, noting the agistment of horses will continue on the site. Furthermore, there are other examples of non-agricultural uses in the immediate surrounding area, including Lark Distillery, the Tasmanian Pistol and Rifle Club, and the Hobart Clay Target Club. The proposal will not compromise the function of surrounding settlements.

The proposal is considered consistent with the purpose of the Rural zone.

7.3.2 Applicable standards

Not all use and development standards in the Rural zone apply to the proposal. Table 4 provides a summary of the applicable use and development standards. An assessment against the applicable standards is provided in the sections following.

Table 4 – Applicable standards in the Rural zone

Clause	Applicability
Use standards	
20.3.1 Discretionary use	Applicable.
Development standards for buildings and works	
20.4.1 Building height	Applicable.
20.4.2 Setbacks	Applicable.
20.4.3 Access for new dwellings	Not applicable. No dwellings are proposed.
Development standards for subdivision	
20.5.1 Lot design	Not applicable. Subdivision is not proposed.

7.3.3 Discretionary use

An assessment against Clause 20.3.1 of the planning scheme is provided below in Table 5.

Table 5 – Assessment against the discretionary use standard in the Rural zone

Acceptable Solutions	Performance Criteria
A1 A use listed as Discretionary, excluding Residential, is for an alteration or extension to an existing use, if: <ul style="list-style-type: none"> (a) the gross floor area does not increase by more than 30% from that existing at the effective date; and (b) the development area does not increase by more than 30% from that existing at the effective date. 	P1 A use listed as Discretionary, excluding Residential, must require a rural location for operational reasons, having regard to: <ul style="list-style-type: none"> (a) the nature, scale and intensity of the use; (b) the importance or significance of the proposed use for the local community; (c) whether the use supports an existing agricultural use; (d) whether the use requires close proximity to infrastructure or natural resources; and (e) whether the use requires separation from other uses to minimise impacts.

Planner Response

The proposal is for a new, non-residential use, therefore cannot meet the acceptable solution and must be assessed against the performance criteria.

An assessment against the performance criteria is provided below:

- The proposed development is for several single- and double-storey buildings clustered together with ancillary infrastructure in the centre of a large site. The built form pattern is similar in nature to other rural properties, which typically comprise several buildings to accommodate agricultural and non-agricultural uses. While the use is different, the scale and intensity are similar, in that there will be residents, with staff visiting the site each day.
 - The Tasmanian Government has committed to closing the AYDC and building a new facility at the site as a replacement. Once the AYDC closes, there will be no equivalent facility elsewhere in Tasmania. The facility proposed is of importance and significance to the entire Tasmanian community, including the local community, both in terms of social function and economic contribution. The facility will support the delivery of a critical public service which will contribute to broader community wellbeing and safety outcomes, provide an environment where children and young people experience the highest standards of child-centred, rights-based and therapeutic care, while also generating meaningful local employment and local economic activity.
- During the construction phase, the project is expected to generate a number of short- to medium-term jobs across a broad range of trades and services. This includes employment for workers in areas such as civil works, building trades, electrical and mechanical services, and site management. In addition to direct labour, the project will create demand for locally supplied materials, equipment hire, logistics, food and beverage, accommodation, and other support services. These opportunities are anticipated to benefit local contractors and businesses, contributing to regional employment and economic activity throughout the construction period.
- At full operation, the facility is expected to represent a substantial employment opportunity for the region, including a diverse range of roles across care, administration, management, security, maintenance, and allied health services. The scale of staffing suggests considerable potential for local recruitment, including both entry-level and skilled positions.
- In addition to direct employment during operation, the facility will create ongoing demand for local suppliers, service providers, and contractors. This includes areas such as hospitality supplies, cleaning, maintenance, and transport. The resulting multiplier effects are expected to have a positive and sustained impact on local economic activity. The location of the facility within a rural setting also supports regional population retention by providing stable employment.
- There is an existing rural use on the subject site which will continue in the northern area of the site. It is intended that this rural use, and the custodial facility use, will operate alongside one another, with a future opportunity available to have the horse agistment enterprise integrated into the operation and management of the youth justice facility to support the health and wellbeing of staff and young people in custody.
 - The subject site is severely constrained for agricultural land use activity due to the predominantly low land capability of the ground, and complete absence of irrigation water which limits any potential scale and level of intensification. It is noted that even the existing horse agistment enterprise on site relies heavily upon bought in feed to ensure the nutritional requirements of the horses are able to be met.
 - It is considered necessary for the facility to be in proximity to natural resources; it is well documented that having access to open space and natural environments is beneficial for the rehabilitation of the occupants of the facility.

- The use requires separation from other uses, particularly sensitive uses, to minimise impacts as a result of lighting and vehicular movements associated with the operation. The Custodial Facility use class is prohibited in all other zones for these reasons.
- The Rural zone is the only zone in the suite of zones under the Tasmanian Planning Scheme that the proposed use class is allowable for a new facility. In every other zone it is prohibited unless for alterations or extensions to an existing facility in the Community Purpose zone. Accordingly, its location in a rural location in the rural zone is key.

The performance criteria (P1) are satisfied.

A2

No Acceptable Solution.

P2

A use listed as Discretionary must not confine or restrain existing use on adjoining properties, having regard to:

- (a) the location of the proposed use;
- (b) the nature, scale and intensity of the use;
- (c) the likelihood and nature of any adverse impacts on adjoining uses;
- (d) whether the proposed use is required to support a use for security or operational reasons; and
- (e) any off site impacts from adjoining uses.

Planner Response

There is no acceptable solution therefore the proposal must be assessed against the performance criteria.

An assessment against the performance criteria is provided below:

- The proposed facility has been designed and located on the site with significant setbacks to the most sensitive uses on adjoining properties, being the residential uses to the west and south of the subject site. Landscaping and fencing will be further utilised to assist in screening the development from adjoining properties. It is noted that there are no adjoining properties that have consistent agricultural uses operating which would have the potential to conflict with the proposed use.
- The proposed use, custodial facility, comprises 24 beds for children and young people; however, two of these are in the health centre and two in the admissions centre. It is also anticipated that the facility will rarely operate at full capacity, based on the current operations at AYDC and the proposed reform in youth justice based on the findings of the COI. It is anticipated that there will be a total daily staff presence of around 100 staff members, with an additional approximately 40 staff for brief periods during shift changeover periods. A car park is provided for staff members on site and has been purposefully located to be substantially set back from adjoining properties. The access has been relocated to enter from Rifle Range Road rather than Brighton Road to further minimise impacts to neighbours. For a custodial facility, the intensity of the use will primarily result from staff traffic movements rather than other emissions such as noise or dust and is therefore considered small compared to other rural facilities.
- The size of the site and location of the facility on the site provides significant setbacks and a buffer to the adjoining properties, with existing and proposed vegetation providing further screening between. It is anticipated there will be a daily generation of around 280 vehicle movements associated with the facility (this includes inbound and outbound traffic); however, the access and car parking have been purposefully located away from adjoining properties at the southern end of the facility, with access off Rifle Range Road rather than Brighton Road, to minimise impacts (refer to the Traffic Impact Assessment in Appendix E for further details). Noises generated at the facility, such as from the recreational spaces, would be similar to that of a small school or playground, and acoustic impacts will be mitigated by the security fencing, setbacks and perimeter fencing surrounding the facility. The facility does also require external lighting for security purposes; however, this will be kept at low levels overnight unless required in the event of a security breach.
- The proposed use is for a custodial facility, hence has security and operational considerations.
- It is not considered that any adjoining uses have offsite impacts.

The performance criteria (P2) are satisfied.

A3

No Acceptable Solution.

P3

A use listed as Discretionary, located on agricultural land, must minimise conversion of agricultural land to non-agricultural use and be compatible with agricultural use, having regard to:

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

- (b) the local or regional significance of the agricultural land; and
- (c) whether agricultural use on adjoining properties will be confined or restrained.

Planner Response

There is no acceptable solution therefore the proposal must be assessed against the performance criteria.

An assessment against the performance criteria is provided below:

- The existing rural use on the site, a horse agistment enterprise, will continue in the northern area of the site. While the remainder of the site will be used by the proposed custodial facility use, the two uses will operate concurrently and without conflict. It is anticipated that the horse agistment enterprise will contribute to the health and wellbeing of the staff and young people on site.
- The proposed use, custodial facility, comprises 24 beds for children and young people. It is anticipated that the facility will rarely operate at full capacity, based on the current operations at AYDC and the proposed reform in youth justice based on the findings of the COI. It is anticipated that there will be a total daily staff presence of around 100 staff members, with an additional approximately 40 staff for brief periods during shift changeover periods. A car park is provided for staff members on site and has been purposefully located to be substantially set back from adjoining properties. The access has been relocated to enter from Rifle Range Road rather than Brighton Road to further minimise impacts to neighbours. For a custodial facility, the intensity of the use will primarily result from staff traffic movements rather than other emissions such as noise or dust and is therefore considered small compared to other rural facilities.
- As assessed by Pinion Advisory, the site has a negligible level of local and regional agricultural significance. It only represents a small area of the Derwent mapping area, the land has low land capability, no access to irrigation water or in a declared irrigation district, and is physically isolated from larger contiguous parcels of agricultural land.
- Agricultural uses on adjoining properties are severely constrained and limited to a small, non-commercial scale vineyard and small horse training tracks. As assessed by Pinion Advisory, it is reasonable to consider that based on the specific location and layout, nature, and use of the proposed development in conjunction with the setback distances, there is a negligible risk of creating any negative impacts on adjoining agricultural uses.

The performance criteria (P3) are satisfied.

A4

No Acceptable Solution.

P4

A use listed as Discretionary, excluding Residential, must be appropriate for a rural location, having regard to:

- (a) the nature, scale and intensity of the proposed use;
- (b) whether the use will compromise or distort the activity centre hierarchy;
- (c) whether the use could reasonably be located on land zoned for that purpose;
- (d) the capacity of the local road network to accommodate the traffic generated by the use; and
- (e) whether the use requires a rural location to minimise impacts from the use, such as noise, dust and lighting.

Planner Response

There is no acceptable solution therefore the proposal must be assessed against the performance criteria.

An assessment against the performance criteria is provided below:

- As detailed above, it is considered the nature, scale and intensity of the proposed custodial facility is appropriate for the site and a rural location, and would likely have less impacts to adjoining properties compared with some permitted uses in the zone such as resource processing or extractive industry.
- The proposed use will not impact the activity centre hierarchy as it is not a commercial use.
- The Rural zone is the only zone in the suite of zones under the Tasmanian Planning Scheme that the proposed use class is allowable for a new facility. In every other zone it is prohibited unless for alterations or extensions to an existing facility in the Community Purpose zone. Accordingly, its location in a rural location in the rural zone is critical.
- A traffic impact assessment has been undertaken which provides an assessment on the capacity of the local road network to accommodate the proposal, and has found that there is sufficient capacity.

As detailed above, Rural zone is the only zone under the Tasmanian Planning Scheme that the proposed use class is allowable for a new facility. As such, the use does require a rural location, but will not generate significant impacts in terms of noise, dust or lighting. The existing rural use on site also does not create unnecessary dust, noise or lighting impacts.

The performance criteria (P4) are satisfied.

7.3.4 Building height

An assessment against Clause 20.4.1 of the planning scheme is provided below in Table 6.

Table 6 – Assessment against the building height standard in the Rural zone

Acceptable Solutions	Performance Criteria
A1 Building height must be not more than 12m.	P1 Building height must be necessary for the operation of the use and not cause an unreasonable impact on adjoining properties, having regard to: <ul style="list-style-type: none"> (a) the proposed height of the building; (b) the bulk and form of the building; (c) the separation from existing uses on adjoining properties; and (d) any buffers created by natural or other features.

Planner Response

The maximum building height on site is 11.8 m for Building F, with the other buildings being of lesser height.

The acceptable solution (A1) is met.

7.3.5 Setbacks

An assessment against Clause 20.4.2 of the planning scheme is provided below in Table 7.

Table 7 – Assessment against the setbacks standard in the Rural zone

Acceptable Solutions	Performance Criteria
A1 Buildings must have a setback from all boundaries of: <ul style="list-style-type: none"> (a) not less than 5m; or (b) if the setback of an existing building is within 5m, not less than the existing building. 	P1 Buildings must have a setback from all boundaries of: <ul style="list-style-type: none"> (a) not less than 5m; or (b) if the setback of an existing building is within 5m, not less than the existing building.

Planner Response

All buildings are set back more than 5 m from title boundaries.

The acceptable solution (A1) is met.

A2 Buildings for a sensitive use must be separated from an Agriculture Zone a distance of: <ul style="list-style-type: none"> (a) not less than 200m; or (b) if an existing building for a sensitive use on the site is within 200m of that boundary, not less than the existing building. 	P2 Buildings for a sensitive use must be sited so as not to conflict or interfere with an agricultural use within the Agriculture Zone, having regard to: <ul style="list-style-type: none"> (a) the size, shape and topography of the site; (b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;
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- (c) the location of existing buildings on the site;
- (d) the existing and potential use of adjoining properties;
- (e) any proposed attenuation measures; and
- (f) any buffers created by natural or other features.

Planner Response

All proposed buildings are located more than 200 m from the Agriculture zone, except for Building B (maintenance building), which is approximately 140 m from the Agriculture zone. Given this is for a sensitive use (Custodial Facility) the proposal must be assessed against the performance criteria.

In response to the performance criteria:

- The nearest land zoned Agriculture is CT172514/1 which is land owned by the Crown and classed as 'acquired road'. It is vacant and is not used for agricultural or rural purposes. The nearest land zoned Agriculture that is being used for an agricultural use is more than 200 m from the subject site.
- The site is a relatively large, flat site, which has allowed for the proposal to be designed to maximise distances to the Agriculture zone and surrounding uses. While the use class of the proposed development is Custodial Facility, a sensitive use, there are multiple buildings proposed for the operation, including accommodation, administrative, educational and recreational buildings, with some considered more sensitive than others. The more sensitive of these are the accommodation buildings, which have been purposefully located more than 200 m from the Agriculture zone, and the least sensitive of the buildings, the maintenance building (Building B) is nearer the eastern boundary and the Agriculture zone. These distances assist in minimising potential conflicts with surrounding land uses, including if the nearest Agriculture zoned land should be used for agricultural purposes in the future.
- Due to the isolated nature of the site, and being surrounded by major roads, there are no adjoining properties that have buildings being used for sensitive uses that are less than 200 m from the Agriculture zone.
- There is an existing building on the site, however, this is an outbuilding being used for a rural use, not a sensitive use.
- As detailed in the Agricultural Assessment Report prepared by Pinion Advisory (refer to Appendix H), the opportunity for agricultural land use activities to occur on the subject site and surrounding land is severely constrained by the low land capability of the land, prevailing low rainfall climate and absence of access to irrigation water. There are currently no agricultural uses occurring on adjoining properties.
- Building B is located approximately 140 m from the Agriculture zone, and is separated by the Midland Highway road reservation. This provides a physical buffer between the two, clearly separating the subject site from land uses to the east.

As demonstrated above, the proximity of the maintenance building (Building B) on the subject site to the Agricultural zone will not conflict with or interfere with agricultural uses that may occur on the land in the future.

The performance criteria (P2) are satisfied.

8 Code assessment

8.1 Applicable codes

Some of the planning scheme codes are applicable by way of overlay while others are applicable by way of textual application clause. Beyond the applicable overlays, several codes also require consideration due to the nature of the works and the relevant application clauses.

The relevant codes against which this proposal requires consideration are:

- C1.0 Signs code
- C2.0 Parking and sustainable transport code
- C3.0 Road and railway assets code
- C7.0 Natural assets code
- C8.0 Scenic protection code
- C9.0 Attenuation code
- C13.0 Bushfire-prone areas code

8.2 Signs code

8.2.1 Application of the Code

This code does not apply to use, and applies to all development for signs, unless the following applies:

- The sign is exempt pursuant to Table C1.4 of the signs code
- A sign within a building or site that cannot be, or is not intended to be, seen from outside of the building or site is exempt from requiring a permit.
- Changes to the graphics of a sign that was lawfully displayed on or after the effective date, including text, graphic design and colour, is exempt provided that:
 - the sign has not changed in dimension, proportion or location; and
 - if an illuminated sign, the method of illumination has not changed.

8.2.2 Applicable standards

Not all standards within the Signs code are applicable to the proposal. Table 8 identifies the applicable standards below.

Table 8 – Applicable standards in the Signs Code

Clause	Applicability
Use standards	
There are no use standards in this code.	
Development standards for buildings and works	
Clause C1.6.1 Design and siting of signs	Applicable.
Clause C1.6.2 Illuminated signs	Applicable.
Clause C1.6.3 Third party sign	Not applicable. No third party signs are proposed.
Clause C1.6.4 Signs on local heritage places and in local heritage precincts and local historic landscape precincts	Not applicable. The site is not a local heritage place, in a local heritage precinct or in a local historic landscape precinct.

8.2.3 Design and siting of signs

An assessment against Clause C1.6.1 of the planning scheme is provided below in Table 9.

Table 9 – Assessment against the design and siting of signs standard in the Signs Code

Acceptable Solutions	Performance Criteria
A1 A sign must: <ul style="list-style-type: none"> (a) be located within the applicable zone for the relevant sign type set out in Table C1.6; and (b) meet the sign standards for the relevant sign type set out in Table C1.6, excluding for the following sign types, for which there is no Acceptable Solution: <ul style="list-style-type: none"> (i) roof sign; (ii) sky sign; and (iii) billboard. 	P1.1 A sign must: <ul style="list-style-type: none"> (a) be located within an applicable zone for the relevant sign type as set out in Table C1.6; and (b) be compatible with the streetscape or landscape, having regard to: <ul style="list-style-type: none"> (i) the size and dimensions of the sign; (ii) the size and scale of the building upon which the sign is proposed; (iii) the amenity of surrounding properties; (iv) the repetition of messages or information; (v) the number and density of signs on the site and on adjacent properties; and (vi) the impact on the safe and efficient movement of vehicles and pedestrians. P1.2 If a roof sign, sky sign or billboard, the sign must: <ul style="list-style-type: none"> (a) be located within the applicable zone for the relevant sign type set out in Table C1.6; (b) meet the sign standards for the relevant sign type in Table C1.6; and (c) not contribute to visual clutter or cause unreasonable loss of amenity to the surrounding area, having regard to: <ul style="list-style-type: none"> (i) the size and dimensions of the sign;

- (ii) the size and scale of the building upon which the sign is proposed;
- (iii) the amenity of surrounding properties;
- (iv) the repetition of messages or information;
- (v) the number and density of signs on the site and on adjacent properties; and
- (vi) the impact on the safe and efficient movement of vehicles and pedestrians.

Planner Response

One ground-based sign is proposed at the entrance to the facility near Rifle Range Road. The sign is 1.10 m in height by 2.85 m in width, and sits on a supportive structure, giving it an overall height of 1.75 m. This meets the requirements in Table C1.6.

The acceptable solution (A1) is met.

A2

A sign must be not less than 2m from the boundary of any lot in the General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Rural Living Zone or Landscape Conservation Zone.

P2

A sign must not cause an unreasonable loss of amenity to adjoining residential properties, having regard to:

- (a) the topography of the site and the surrounding area;
- (b) the relative location of buildings, habitable rooms of dwellings and private open space;
- (c) any overshadowing; and
- (d) the nature and type of the sign.

Planner Response

The proposed sign is located in the Rural zone.

The acceptable solution (A2) is met.

A3

The number of signs for each business or tenancy on a road frontage of a building must be no more than:

- (a) 1 of each sign type, unless otherwise stated in Table C1.6;
- (b) 1 window sign for each window;
- (c) 3 if the street frontage is less than 20m in length; and
- (d) 6 if the street frontage is 20m or more, excluding the following sign types, for which there is no limit:
 - (i) name plate; and
 - (ii) temporary sign.

P3

The number of signs for each business or tenancy on a street frontage must:

- (a) not unreasonably increase in the existing level of visual clutter in the streetscape, and where possible, reduce any existing visual clutter in the streetscape by replacing existing signs with fewer, more effective signs; and
- (b) not involve the repetition of messages or information.

Planner Response

There is only one ground-based sign proposed on the site, which is situated on the Rifle Range Road frontage.

The acceptable solution (A3) is met.

8.2.4 Illuminated signs

An assessment against Clause C1.6.2 of the planning scheme is provided below in Table 10.

Table 10 – Assessment against the illuminated signs standard in the Signs Code

Acceptable Solutions	Performance Criteria
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A1

No Acceptable Solution.

P1

An illuminated sign must not cause an unreasonable loss of amenity to adjacent properties or have an unreasonable effect on the safety, appearance or efficiency of a road, and must be compatible with the streetscape, having regard to:

- (a) the location of the sign;
- (b) the size of the sign;
- (c) the intensity of the lighting;
- (d) the hours of operation of the sign;
- (e) the purpose of the sign;
- (f) the sensitivity of the area in terms of view corridors, the natural environment and adjacent residential amenity;
- (g) the intended purpose of the changing message of the sign;
- (h) the percentage of the sign that is illuminated with changing messages;
- (i) proposed dwell time; and
- (j) whether the sign is visible from the road and if so the proximity to and impact on an electronic traffic control device.

Planner Response

There is no acceptable solution; therefore, the proposal must be assessed against the performance criteria.

An assessment against the performance criteria is provided below:

- The sign is located on the Rifle Range Road frontage and is set back 6 m from the site boundary, minimising potential impacts on the road and adjacent properties.
- The sign has been kept to a size that is still readable to those driving past, but modest in size to minimise amenity impacts.
- The sign will be internally illuminated only from dusk to dawn, not all day, and there will be no lights on the ground. The sign will have upward light ratio of approximately 0.50. The signage will comply with AS/NZS4282 – *Controls of the obtrusive effects of outdoor lighting*.
- The sign will only be illuminated during night-time hours – from dusk to dawn.
- The purpose of the sign is to identify the youth justice facility and direct visitors/staff to the entrance and car park.
- The area is not considered particularly sensitive, being away from residences and busier roads.
- The sign will not change message, it is fixed.
- The sign is purposefully made to be visible from the road to direct visitors to the site and identify the location of the site. It will not impact road users and there are no nearby electronic traffic control devices.

The performance criteria (P1) are satisfied.

A2

An illuminated sign visible from public places in adjacent roads must not create the effect of flashing, animation or movement, unless it is providing direction or safety information.

P2

No Performance Criterion.

Planner Response

While the proposed sign is illuminated during evening hours, it will not have any flashing, animation or movement, and therefore will not impact passers-by, including drivers.

The acceptable solution (A2) is met.

8.3 Parking and sustainable transport code

8.3.1 Application of the Code

The Parking and Sustainable Transport Code applies to all use and development.

8.3.2 Applicable standards

Not all standards in the Parking and Sustainable Transport Code are applicable to the proposal. Table 11 identifies the applicable standards below.

Table 11 – Applicable standards in the Parking and Sustainable Transport Code

Clause	Applicability
Use standards	
Clause C2.5.1 Car parking numbers	Applicable. There is a requirement for 1 car parking space per 2 employees plus 1 space per 5 inmates.
Clause C2.5.2 Bicycle parking numbers	Not applicable. There is no requirement for providing bicycle parking for the Custodial Facility use class.
Clause C2.5.3 Motorcycle parking numbers	Applicable.
Clause C2.5.4 Loading bays	Applicable
Clause C2.5.5 Number of car parking spaces in the General Residential Zone and Inner Residential Zone	Not applicable. The site is not in the General Residential Zone or the Inner Residential Zone.
Development standards for buildings and works	
Clause C2.6.1 Construction of parking areas	Applicable.
Clause C2.6.2 Design and layout of parking areas	Applicable.
Clause C2.6.3 Number of accesses for vehicles	Applicable.
Clause C2.6.4 Lighting of parking areas within the General Business Zone and Central Business Zone	Not applicable. The site is not within the General Business Zone or Central Business Zone.
Clause C2.6.5 Pedestrian access	Applicable.
Clause C2.6.6 Loading bays	Applicable
Clause C2.6.7 Bicycle parking and storage facilities within the General Business Zone and Central Business Zone	Not applicable. The site is not within the General Business Zone or the Central Business Zone.
Clause C2.6.8 Siting of parking and turning areas	Not applicable. The site is not within the Inner Residential Zone, the Village Zone, the Urban Mixed Use Zone, the Local Business Zone, the General Business Zone or the Central Business Zone.
Parking precinct plan	

Clause	Applicability
Clause C2.7.1 Parking precinct plan	Not applicable. The site is not subject to a parking precinct plan.

8.3.3 Car parking numbers

An assessment against Clause C2.5.1 of the planning scheme is provided below in Table 12.

Table 12 – Assessment against the car parking numbers standard in the Parking and Sustainable Transport Code

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The number of on-site car parking spaces must be no less than the number specified in Table 2.1, less the number of car parking spaces that cannot be provided due to the site including container refund scheme space, excluding if:</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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: $N = A + (C - B)$ <p>N = Number of on-site car parking spaces required</p> <p>A = Number of existing on site car parking spaces</p> <p>B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1</p> <p>C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.</p> 	<p>P1.1</p> <p>The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the availability of off-street public car parking spaces within reasonable walking distance of the site; (b) the ability of multiple users to share spaces because of: <ul style="list-style-type: none"> (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. <p>P1.2</p> <p>The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to:</p> <ul style="list-style-type: none"> (a) the nature and intensity of the use and car parking required; (b) the size of the dwelling and the number of bedrooms; and (c) the pattern of parking in the surrounding area.

Planner Response

The proposed facility provides 111 car parking spaces, which substantially exceeds the 52 spaces required under the planning scheme for a custodial facility. This parking provision includes 3 accessible parking spaces.

The acceptable solution (A1) is met.

8.3.4 Motorcycle parking numbers

An assessment against Clause C2.5.3 of the planning scheme is provided below in Table 13.

Table 13 – Assessment against the motorcycle parking numbers standard in the Parking and Sustainable Transport Code

Acceptable Solutions	Performance Criteria
A1 The number of on-site motorcycle parking spaces for all uses must: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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.

Planner Response

There are no motorcycle spaces proposed and as such an assessment against the performance criteria is required. The proposal triggers a requirement for 52 car parking spaces, which equates to a requirement of 1 motorcycle parking space.

While no dedicated motorcycle parking spaces are provided, given there is a substantial excess of car parking spaces provided, these could also be used for motorcyclists if required.

The performance criteria (P1) are satisfied.

8.3.5 Loading bays

An assessment against Clause C2.5.4 of the planning scheme is provided below in Table 14.

Table 14 – Assessment against the loading bays standard in the Parking and Sustainable Transport Code

Acceptable Solutions	Performance Criteria
A1 A loading bay must be provided for uses with a floor area of more than 1000m ² in a single occupancy.	P1 Adequate space for loading and unloading of vehicles must be provided, having regard to: <ul style="list-style-type: none"> (a) the type of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the location of the site; (e) the nature of traffic in the surrounding area; (f) the area and dimensions of the site; and (g) the topography of the site; (h) the location of existing buildings on the site; and (i) any constraints imposed by existing development.

Planner Response

A loading bay is proposed on site, adjacent to Building A. This area will accommodate delivery vehicles and enable the efficient receipt of various supplies including food provisions, linen services, equipment, and other materials essential to the facility's operations.

Deliveries will also be made to Building B, with vehicles able to enter the building, load/unload, turn and exit in a forward direction.

The acceptable solution (A1) is met.

8.3.6 Construction of parking areas

An assessment against Clause C2.6.1 of the planning scheme is provided below in Table 15.

Table 15 – Assessment against the construction of parking areas standard in the Parking and Sustainable Transport Code

Acceptable Solutions	Performance Criteria
A1 All parking, access ways, manoeuvring and circulation spaces must: <ul style="list-style-type: none"> (a) be constructed with a durable all weather pavement; (b) be drained to the public stormwater system, or contain stormwater on the site; and (c) excluding all uses in the Rural Zone, Agriculture Zone, Landscape Conservation Zone, Environmental Management Zone, Recreation Zone and Open Space Zone, be surfaced by a spray seal, asphalt, concrete, pavers or equivalent material to restrict abrasion from traffic and minimise entry of water to the pavement. 	P1 All parking, access ways, manoeuvring and circulation spaces must be readily identifiable and constructed so that they are useable in all weather conditions, having regard to: <ul style="list-style-type: none"> (a) the nature of the use; (b) the topography of the land; (c) the drainage system available; (d) the likelihood of transporting sediment or debris from the site onto a road or public place; (e) the likelihood of generating dust; and (f) the nature of the proposed surfacing.

Planner Response

The car park, driveway and internal access roads are all proposed to be constructed of bitumen or paving which is a durable all-weather pavement, and stormwater will be contained on the site in the stormwater detention and bioretention treatment basins shown on the architectural plans. As the zoning is Rural, a surface spray, asphalt, concrete or pavers is not required to be applied.

The acceptable solution (A1) is met.

8.3.7 Design and layout of parking areas

An assessment against Clause C2.6.2 of the planning scheme is provided below in Table 16.

Table 16 – Assessment against the design and layout of parking areas standard in the Parking and Sustainable Transport Code

Acceptable Solutions	Performance Criteria
A1.1 Parking, access ways, manoeuvring and circulation spaces must either: <ul style="list-style-type: none"> (a) comply with the following: <ul style="list-style-type: none"> (i) have a gradient in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6; 	P1 All parking, access ways, manoeuvring and circulation spaces must be designed and readily identifiable to provide convenient, safe and efficient parking, having regard to: <ul style="list-style-type: none"> (a) the characteristics of the site; (b) the proposed slope, dimensions and layout; (c) useability in all weather conditions;

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

A1.2

Parking spaces provided for use by persons with a disability must satisfy the following:

- (a) be located as close as practicable to the main entry point to the building;
- (b) be incorporated into the overall car park design; and
- (c) be designed and constructed in accordance with *Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities*.

Planner Response

The parking, accessway, manoeuvring and circulation areas comply with *Australian Standard AS 2890- Parking facilities, Parts 1-6*.

Refer to the Traffic Impact Assessment for details.

The acceptable solution (A1.1) is met.

There is a requirement to provide two accessible bays associated with the proposed car park given the number of parking spaces proposed. There are three accessible parking spaces provided on site near the main entrance to the facility. They are to be designed and constructed in accordance with *Australian/New Zealand Standard AS/NZS 2890.6:2009 Parking facilities, Off-street parking for people with disabilities*.

The acceptable solution (A1.2) is met.

8.3.8 Number of accesses for vehicles

An assessment against Clause C2.6.3 of the planning scheme is provided below in Table 17.

Table 17 – Assessment against the number of accesses for vehicles standards in the Parking and Sustainable Transport Code

Acceptable Solutions	Performance Criteria
A1 The number of accesses provided for each frontage must: <ul style="list-style-type: none"> (a) be no more than 1; or (b) no more than the existing number of accesses, whichever is the greater. 	P1 The number of accesses for each frontage must be minimised, having regard to: <ul style="list-style-type: none"> (a) any loss of on-street parking; and (b) pedestrian safety and amenity; (c) traffic safety;

- (d) residential amenity on adjoining land; and
- (e) the impact on the streetscape.

Planner Response

There is one existing access on the Brighton Road frontage and one on the Rifle Range Road frontage. The existing access on Rifle Range Road is to be removed and a new access constructed further to the east. This results in no more than one access on each frontage.

The acceptable solution (A1) is met.

A2

Within the Central Business Zone or in a pedestrian priority street no new access is provided unless an existing access is removed.

P2

Within the Central Business Zone or in a pedestrian priority street, any new accesses must:

- (a) not have an adverse impact on:
 - (i) pedestrian safety and amenity; or
 - (ii) traffic safety; and
- (b) be compatible with the streetscape.

Planner Response

The site is not in the Central Business Zone or in a pedestrian priority street.

The acceptable solution (A2) is met.

8.3.9 Pedestrian access

An assessment against Clause C2.6.5 of the planning scheme is provided below in Table 18.

Table 18 – Assessment against the pedestrian access standard in the Parking and Sustainable Transport Code

Acceptable Solutions

Performance Criteria

A1.1

Uses that require 10 or more car parking spaces must:

- (a) have a 1m wide footpath that is separated from the access ways or 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.

P1

Safe and convenient pedestrian access must be provided within parking areas, having regard to:

- (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.

Planner Response

Pedestrian footpaths with a minimum width of 1 m are provided in front of all parking spaces in the car park. The paths are located at the front edge of parking spaces, positioning them more than 2.5 metres from the parking aisles, ensuring pedestrian safety.

A central marked pedestrian crossing is provided through the two aisles of the staff parking area, and the crossing point will be appropriately signed and line marked in accordance with AS2890.1 and Australian Standards for pedestrian crossing treatments.

The acceptable solution (A1.1) is met.

There are three accessible parking spaces provided in the car park, two in the staff car park and one in the visitor car park. Pedestrian footpaths connecting the accessible parking spaces to the main building entry has a width of 1.5 metres, meeting the minimum requirement, and have a gradient not exceeding 1 in 14.

The acceptable solution (A1.2) is met.

8.3.10 Loading bays

An assessment against Clause C2.6.6 of the planning scheme is provided below in Table 19.

Table 19 – Assessment against the loading bays standards in the Parking and Sustainable Transport Code

Acceptable Solutions	Performance Criteria
A1 The area and dimensions of loading bays and access way areas must be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities</i> , for the type of vehicles likely to use the site.	P1 Loading bays must have an area and dimensions suitable for the use, having regard to: <ul style="list-style-type: none"> (a) the types of vehicles likely to use the site; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the topography of the site; (f) the location of existing buildings on the site; and (g) any constraints imposed by existing development.
Planner Response The loading bay and access way will be designed in accordance with <i>Australian Standard AS 2890.2–2002, Parking facilities, Part 2: Off-street commercial vehicle facilities</i> , for the type of vehicles likely to use the site. The acceptable solution (A1) is met.	
A2 The type of commercial vehicles likely to use the site must be able to enter, park and exit the site in a forward direction in accordance with <i>Australian Standard AS 2890.2 – 2002, Parking Facilities, Part 2: Parking facilities - Off-street commercial vehicle facilities</i> .	P2 Access for commercial vehicles to and from the site must be safe, having regard to: <ul style="list-style-type: none"> (a) the types of vehicles associated with the use; (b) the nature of the use; (c) the frequency of loading and unloading; (d) the area and dimensions of the site; (e) the location of the site and nature of traffic in the area of the site; (f) the effectiveness or efficiency of the surrounding road network; and (g) site constraints such as existing buildings, slope, drainage, vegetation, parking and landscaping.
Planner Response Commercial vehicles can enter and exit the site in a forward direction. The acceptable solution (A2) is met.	

The applicable standards under the Parking and Sustainable Transport Code are addressed in the Traffic Impact Assessment (TIA) prepared by Midson Traffic; refer to Appendix E.

8.4 Road and railway assets code

8.4.1 Application of the code

Clause C3.2.1 states:

This code applies to a use or development that:

- a. will increase the amount of vehicular traffic or the number of movements of vehicles longer than 5.5m using an existing vehicle crossing or private level crossing;*
- b. will require a new vehicle crossing, junction or level crossing; or*
- c. involves a subdivision or habitable building within a road or railway attenuation area if for a sensitive use.*

The Road and Railway Assets Code applies to the proposal, as it will increase the amount of vehicular traffic using an existing vehicle crossing.

A small part of the eastern and northern section of the site lies within the Road Attenuation Area associated with the Midland Highway; however, the proposed building envelope is not within the Road Attenuation Area.

8.4.2 Applicable standards

Not all standards within the Road and Railway Assets Code are applicable to the proposal. Table 20 identifies the applicable standards below.

Table 20 – Applicable standards in the Road and Railway Assets Code

Clause	Applicability
Use standards	
Clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction	Applicable.
Development standards for buildings and works	
Clause C3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area	Not applicable. There are no habitable buildings proposed in the road attenuation area on site.
Development standards for subdivision	
Clause C3.7.1 Subdivision for sensitive uses within a road or railway attenuation area	Not applicable. Subdivision is not proposed.

8.4.3 Traffic generation at a vehicle crossing, level crossing or new junction

An assessment against Clause C3.5.1 of the planning scheme is provided below in Table 21.

Table 21 – Assessment against the traffic generation at a vehicle crossing, level crossing or new junction standard in the Road and Railway Assets Code

Acceptable Solutions

Performance Criteria

A1.1

For a category 1 road or a limited access road, vehicular traffic to and from the site will not require:

- (a) a new junction;
- (b) a new vehicle crossing; or
- (c) a new level crossing.

A1.2

For a road, excluding a category 1 road or a limited access road, written consent for a new junction, vehicle crossing, or level crossing to serve the use and development has been issued by the road authority.

A1.3

For the rail network, written consent for a new private level crossing to serve the use and development has been issued by the rail authority.

A1.4

Vehicular traffic to and from the site, using an existing vehicle crossing or private level crossing, will not increase by more than:

- (a) the amounts in Table C3.1; or
- (b) allowed by a licence issued under Part IVA of the *Roads and Jetties Act 1935* in respect to a limited access road.

A1.5

Vehicular traffic must be able to enter and leave a major road in a forward direction.

P1

Vehicular traffic to and from the site must minimise any adverse effects on the safety of a junction, vehicle crossing or level crossing or safety or efficiency of the road or rail network, having regard to:

- (a) any increase in traffic caused by the use;
- (b) the nature of the traffic generated by the use;
- (c) the nature of the road;
- (d) the speed limit and traffic flow of the road;
- (e) any alternative access to a road;
- (f) the need for the use;
- (g) any traffic impact assessment; and
- (h) any advice received from the rail or road authority.

Planner Response

In response to the acceptable solutions:

- A1.1: No new junction, vehicle crossing or level crossing is proposed on a category 1 road or a limited access road.
- A1.2: Consent has not yet been provided from Brighton Council for the new vehicle crossing to Rifle Range Road. Therefore, the proposal must be assessed against the performance criteria.
- A1.3: No new private level crossings are proposed for the rail network.
- A1.4: The existing vehicle crossings to the site from Brighton Road and Rifle Range Road will not be used by the proposed facility; it will rely on the new vehicular crossing from Rifle Range Road.
- A1.5: Vehicular traffic will be able to enter and leave in a forward direction.

An assessment against the performance criteria is provided in the Traffic Impact Assessment prepared by Midson Traffic. The assessment concludes that the level of traffic generation can be accommodated safely and efficiently within the surrounding road network.

The performance criteria (P1) are satisfied.

8.5 Natural assets code

8.5.1 Application of the code

This Code applies to development on land in:

- a waterway and coastal protection area;
- a future coastal refugia area; and
- a priority vegetation area in the Open Space zone.

The Code does not apply to use.

The subject site is partially located within a waterway and coastal protection area and a future coastal refugia area. The Code therefore applies to the planning permit application.

8.5.2 Applicable standards

Not all standards within the Natural Assets Code are applicable to the proposal. Table 22 identifies the applicable standards below.

Table 22 – Applicable standards in the Natural Assets Code

Clause	Applicability
Use standards	
There are no use standards in this code.	
Development standards for buildings and works	
Clause C7.6.1 Buildings and works within a waterway and coastal protection area or a future coastal refugia area	Not applicable.
Clause C7.6.2 Clearance within a priority vegetation area	Applicable.
Development standards for subdivision	
Clause C7.7.1 Subdivision within a waterway and coastal protection area or a future coastal refugia area	Not applicable. Subdivision is not proposed.
Clause C7.7.2 Subdivision within a priority vegetation area	Not applicable. Subdivision is not proposed.

8.5.3 Clearance within a priority vegetation area

An assessment against Clause C7.6.2 of the planning scheme is provided below in Table 23.

Table 23 – Assessment against the clearance within a priority vegetation area standard in the Natural Assets Code

Acceptable Solutions	Performance Criteria
A1 Clearance of native vegetation within a priority vegetation area must be within a building area on a sealed plan approved under this planning scheme.	P1.1 Clearance of native vegetation within a priority vegetation area must be for: <ul style="list-style-type: none"> (a) an existing use on the site, provided any clearance is contained within the minimum area necessary to be cleared to provide adequate bushfire protection, as recommended by the Tasmania Fire Service or an accredited person; (b) buildings and works associated with the construction of a single dwelling or an associated outbuilding; (c) subdivision in the General Residential Zone or Low Density Residential Zone; (d) use or development that will result in significant long term social and economic benefits and there is no feasible alternative location or design;

- (e) clearance of native vegetation where it is demonstrated that on-going pre-existing management cannot ensure the survival of the priority vegetation and there is little potential for long-term persistence; or
- (f) the clearance of native vegetation that is of limited scale relative to the extent of priority vegetation on the site.

P1.2

Clearance of native vegetation within a priority vegetation area must minimise adverse impacts on priority vegetation, having regard to:

- (a) the design and location of buildings and works and any constraints such as topography or land hazards;
- (b) any particular requirements for the buildings and works;
- (c) minimising impacts resulting from bushfire hazard management measures through siting and fire-resistant design of habitable buildings;
- (d) any mitigation measures implemented to minimise the residual impacts on priority vegetation;
- (e) any on-site biodiversity offsets; and
- (f) any existing cleared areas on the site.

Planner Response

The priority vegetation area refers to the 14.53 ha of land within the project area that is subject to the priority vegetation overlay as specified in the planning scheme. Only 1.94 ha of the project footprint intersects with the priority vegetation area overlay. The proposal requires the removal of native vegetation within the priority vegetation area; therefore, the proposal must be assessed against the performance criteria.

The proposal meets P1.1(d) as it is for a use and development that will result in significant long term social benefits to the State. The Tasmanian Government has committed to closing the AYDC, and therefore an alternate location had to be found to continue to provide this important community facility which has social benefits for the wider Tasmanian community. The facility has also been designed to minimise vegetation removal where possible.

Performance criterion P1.2 is not applicable as there is no vegetation in the priority vegetation area that meets the definition of priority vegetation as specified in Clause 7.3.1; thus, there is no chance of adverse impacts to priority vegetation.

Refer to the Natural Values Assessment prepared by North Barker Ecosystem Services, provided in Appendix F.

The performance criteria (P1.1 and P1.2) are satisfied.

8.6 Scenic protection code

8.6.1 Application of the Code

This Code applies to development on Rural zoned land within a scenic protection area or scenic road corridor. The Code does not apply to use.

8.6.2 Applicable standards

Not all standards within the Scenic Protection Code are applicable to the proposal. Table 24 identifies the applicable standards below.

Table 24 – Applicable standards in the Scenic Protection Code

Clause	Applicability
Use standards	
There are no use standards in this code.	
Development standards for buildings and works	
Clause C8.6.1 Development within a scenic protection area	Not applicable.
Clause C8.6.2 Development within a scenic road corridor	Applicable.

8.6.3 Development within a scenic road corridor

An assessment against Clause C8.6.2 of the planning scheme is provided below in Table 25.

Table 25 – Assessment against the development within a scenic road corridor standard in the Scenic Protection Code

Acceptable Solutions	Performance Criteria
A1 Destruction of exotic trees with a height more than 10m, native vegetation, or hedgerows within a scenic road corridor must not be visible from the scenic road.	P1 Destruction of exotic trees with a height more than 10m, native vegetation, or hedgerows within a scenic road corridor must not cause an unreasonable reduction of the scenic value of the road corridor, having regard to: <ul style="list-style-type: none"> (a) the nature, extent and location of the exotic trees, native vegetation and hedgerows; and (b) the purpose of any management objectives identified in the relevant Local Provisions Schedule.
Planner Response There are no exotic trees with a height more than 10 m, native vegetation, or hedgerows proposed to be destroyed or impacted within the scenic road corridor on the site. The acceptable solution (A1) is met.	
A2 Buildings or works within a scenic road corridor must not be visible from the scenic road.	P2 Buildings or works within a scenic road corridor must not cause an unreasonable reduction of the scenic value of the road corridor, having regard to: <ul style="list-style-type: none"> (a) the topography of the site; (b) proposed reflectance and colour of external finishes; (c) design and proposed location of the buildings or works; (d) the extent of any cut or fill required; (e) any existing or proposed screening; (f) the impact on views from the road; and (g) the purpose of any management objectives identified in the relevant Local Provisions Schedule.

Planner Response

Works are proposed in the scenic road corridor, and will be visible from the scenic road, being the Midland Highway. These works include parts of the driveway, adjacent footpath, entrance signage, car parking, sewage treatment area and fencing. No buildings are to be in the scenic road corridor. The proposal cannot meet the acceptable solution and must be assessed against the performance criteria.

Only works are proposed within the scenic road corridor, which will have a significantly smaller impact on views from the road corridor and the scenic value of the road corridor compared to buildings. Most of the works are also located with the far extent of the corridor to minimise impacts. The works will not be reflective in nature, and finishes will be muted colours, being predominately bitumen from the driveway and car park. Minimal cut and fill are required for the works due to the relatively flat nature of the site, and the topography of the area means the works sit at a lower level to the Midland Highway. Due to the low-scale of the works and their location, it is not considered that screening is required. It is considered that the proposed works will not cause an unreasonable reduction of the scenic value of the road corridor.

The performance criteria (P2) are satisfied.

8.7 Attenuation code

8.7.1 Application of the Code

Clause C9.2.1 states:

This code applies to:

- a. activities listed in Tables C9.1 and C9.2;*
- b. sensitive uses; and*
- c. subdivision if it creates a lot where a sensitive use could be established, within an attenuation area.*

8.7.2 Potentially applicable activities nearby

The site is near Tasmanian Botanics, a medicinal cannabis facility, and Lark Distillery, a distillery producing whisky, which have attenuation distances for the various activities undertaken on the sites. These activities, along with those occurring at the Hobart Clay Target Club and the Tasmanian Pistol and Rifle Club, two nearby shooting ranges, are outlined below in Table 26 and shown in Figure 22.

The attenuation distance is the distance listed in Tables C9.1 and C9.2 of the Attenuation Code for the relevant activity measured as the shortest distance from the boundary of the site on which the activity is located.

Based on the below assessment, the proposal is in the attenuation areas of the Hobart Clay Target Club and the Tasmanian Pistol and Rifle Club. It is not in the attenuation areas of Tasmanian Botanics or Lark Distillery. It is also noted that the proposed use class, Custodial Facility, does not trigger an attenuation distance itself under the Code.

The Attenuation code is applicable to this application.

Table 26 - Attenuation distances from nearby activities

Activity		Application	Attenuation Distance – Level 1 Activity	Assessment
Agricultural produce processing works	The conduct of works for the processing of vegetables, seed, grain, or any other agricultural crop by deep fat frying or roasting or boiling or drying through application of heat – emissions such as odour and noise.	Tasmanian Botanics is located to the east of the subject site.	100 m	The sensitive use is not within the 100 m attenuation area of Tasmanian Botanics. No action required.
Brewery or distillery	The conduct of works for the production of beer by infusion, boiling or fermentation, or spirits by distillation with the capacity to produce more than 2000L per day - emissions such as odour and noise.	Lark Distillery is located to the north of the subject site.	200 m	The sensitive use is not within the 200 m attenuation area of Lark Distillery. No action required.
Fuel burning	Excluding fuel burning associated with a domestic or on-farm use.	Tasmanian Botanics undertakes fuel burning.	500 m	While there is fuel burning occurring at Tasmanian Botanics, this clause excludes fuel burning associated with an <u>on-farm use</u> . It is considered that the production of cannabis on site is an on-farm use. No action required.
Horse stables	Commercial operations only - emissions such as odour, noise and dust.	There are horse stables on the adjacent site but it is not a commercial operation.	500 m	While there are horse stables nearby, the attenuation code only applies to commercial operations. It is understood that there are no commercial horse stables operations in 500 m to the site. No action required.
Plant nurseries and controlled environment agriculture	Excluding operations primarily selling directly to the public.	Tasmanian Botanics is nearby. It does not sell directly to the public.	With manure or refuse use – 300 m All other types of operation use – 100 m	The sensitive use is not within the 300 m attenuation area of Tasmanian Botanics. No action required.
Shooting range	The conduct of facilities for outdoor shooting competitions, practice or instruction - emissions such as noise.	The Tasmanian Pistol and Rifle Club and the Hobart Clay Target Club are located to the north-west of the site.	2,000 m	The site is in the attenuation distance for the shooting ranges. The Attenuation Code must be addressed in relation to this activity.

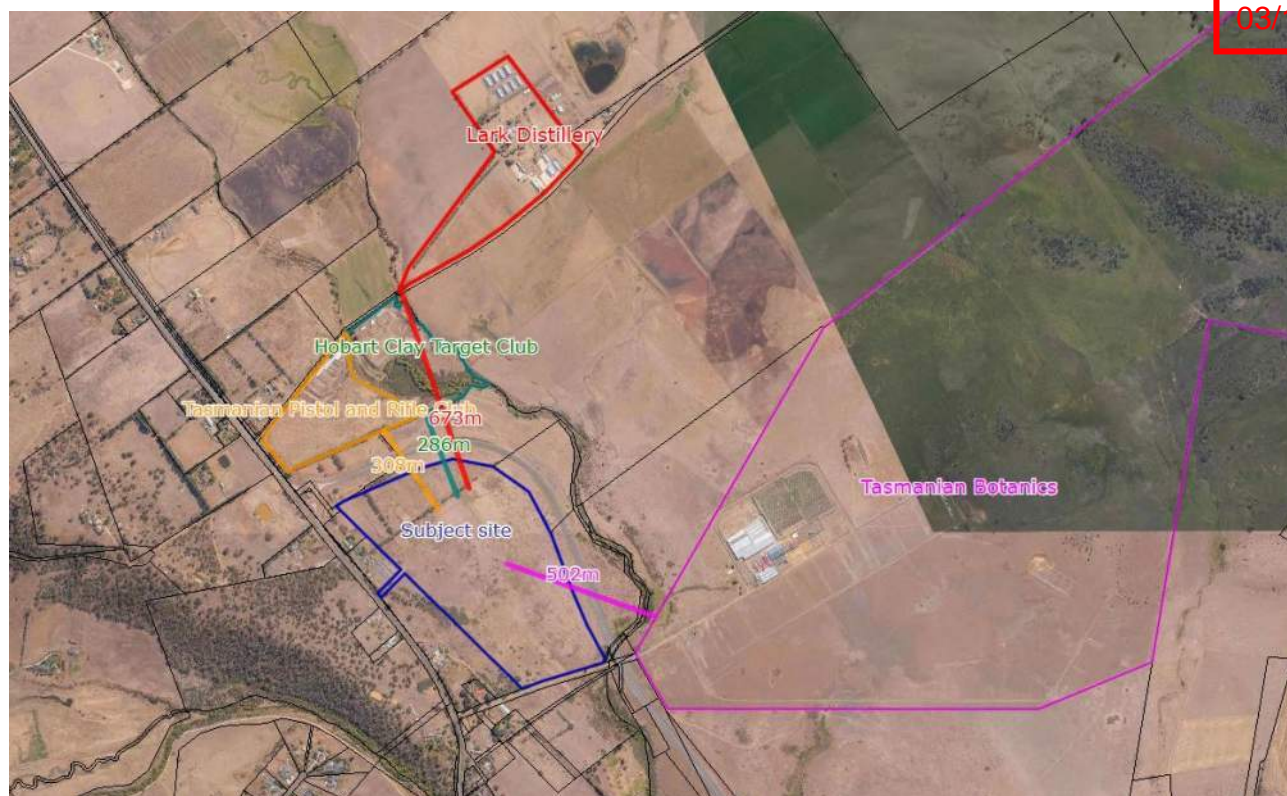


Figure 22 Attenuation distances to the proposal from nearby activities

8.7.3 Applicable standards

Not all standards within the Attenuation Code are applicable to the proposal. Table 27 identifies the applicable standards below.

Table 27 – Applicable standards in the Attenuation Code

Clause	Applicability
Use standards	
Clause C9.5.1 Activities with potential to cause emissions	Not applicable. No activities with potential to cause emissions are proposed.
Clause C9.5.2 Sensitive use within an attenuation area	Applicable.
Development standards for subdivision	
Clause C9.6.1 Lot design	Not applicable. Subdivision is not proposed.

8.7.4 Sensitive use within an attenuation area

An assessment against Clause C9.5.2 of the planning scheme is provided below in Table 28.

Table 28 – Assessment against the sensitive use within an attenuation area standard in the Attenuation Code

Acceptable Solutions	Performance Criteria
----------------------	----------------------

A1

No Acceptable Solution.

P1

Sensitive use within an attenuation area, must not interfere with or constrain an existing activity listed in Tables C9.1 or C9.2, having regard to:

- (a) the nature of the activity with potential to cause emissions including:
 - (i) operational characteristics of the activity;
 - (ii) scale and intensity of the activity; and
 - (iii) degree of hazard or pollution that may be emitted from the activity;
- (b) the nature of the sensitive use;
- (c) the extent of encroachment by the sensitive use into the attenuation area;
- (d) measures in the design, layout and construction of the development for the sensitive use to eliminate, mitigate or manage effects of emissions of the activity;
- (e) any advice from the Director, Environment Protection Authority; and
- (f) any advice from the Director of Mines.

Planner Response

There is no acceptable solution, and therefore the proposal is assessed against the performance criteria below:

- Two outdoor shooting ranges, operated by the Tasmanian Pistol and Rifle Club and Hobart Clay Target Club, are located to the north-west of the site at 30 and 48 Shene Road, Pontville, respectively. Across both clubs combined, shooting typically occurs up to 5 days per week during daylight hours for a few hours at a time. The Acoustic Report prepared by DDEG in Appendix I found that shooting noise is audible at the project site, with outdoor areas of the proposed facility being moderately impacted by shooting noise from Hobart Clay Target Club, while noise impact from the Tasmanian Pistol and Rifle Club will be insignificant.
- The facility will provide residential accommodation and rehabilitation for vulnerable youth. Expert advice from DDEG acoustic engineers has confirmed that residential parts of the facility will have broadly similar sensitivity to gunshot noise as other types of residential use.
- The defined attenuation area for a shooting range extends 2,000 m from the range. The project site is wholly within the attenuation area of the two nearby ranges, with the closest proposed buildings being approximately 600 m from the shooting ranges.
- The potential hazard to health and amenity within interior parts of the facility is proposed to be mitigated through use of appropriate built form and building construction to insulate from exterior noise. It is proposed that building air-conditioning systems will be designed to maintain a minimum level of background noise in accordance with AS/NZS 2017:2016 to assist with masking any shooting noise which may intrude into the building.
- Refer to the Acoustic Report prepared by DDEG in Appendix I for a detailed assessment against the performance criteria. DDEG has undertaken a thorough assessment and found that the proposed use can be designed, constructed and operated so that it will not interfere with, or constrain, the operation of the existing shooting ranges to the north-west of the site with respect to noise.

The performance criteria (P1) are satisfied.

8.8 Bushfire-prone areas code

8.8.1 Application of the Code

Clause E13.2.1 states:

This code applies to:

- a. subdivision of land that is located within, or partially within, a bushfire-prone area; and*

- b. a use, on land that is located within, or partially within, a bushfire-prone area, that is a vulnerable use or hazardous use.*

The site is within a bushfire-prone area, as identified on the statutory map overlays.

No subdivision is proposed as part of the application.

In the context of the Code, a 'vulnerable use' is defined in Clause 13.3.1 as:

A use that is within one or more of the following use classes:

- a. Custodial Facility;*
- b. Education and Occasional Care;*
- c. Hospital Services;*
- d. Residential if the use is for assisted housing, residential care facility, respite centre or retirement village.*

The use, Custodial Facility, is a vulnerable use.

In the context of the Code, a 'hazardous use' is defined in Clause C13.3.1 as:

A use where:

- a. hazardous chemicals of a manifest quantity are stored on a site; or*
- b. explosives are stored on a site and where classified as an explosives location or large explosives location as specified in the Explosives Act 2012.*

The use, Custodial Facility, is not a hazardous use. The site will not store hazardous chemicals or a manifest quantity, nor will it store explosives on site.

8.8.2 Applicable standards

Not all standards within the Bushfire-Prone Areas Code are applicable to the proposal. Table 29 identifies the applicable standards below.

Table 29 – Applicable standards in the Bushfire-Prone Areas Code

Clause	Applicability
Use standards	
Clause C13.5.1 Vulnerable uses	Applicable.
Clause C13.5.2 Hazardous uses	Not applicable. No hazardous uses are proposed.
Development standards for subdivision	
Clause C13.6.1 Provision of hazard management areas	Not applicable. Subdivision is not proposed.
Clause C13.6.2 Public and fire fighting access	Not applicable. Subdivision is not proposed.

8.8.3 Vulnerable uses

An assessment against Clause C13.5.1 of the planning scheme is provided below in Table 30.

Table 30 – Assessment against the vulnerable uses standard in the Bushfire Prone Areas Code

Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 A vulnerable use must only be located in a bushfire-prone area if a tolerable risk from bushfire can be achieved and maintained, having regard to: <ul style="list-style-type: none"> (a) the location, characteristics, nature and scale of the use; (b) whether there is an overriding benefit to the community; (c) whether there is no suitable alternative lower-risk site; (d) the emergency management strategy (vulnerable use) and bushfire hazard management plan; and (e) other advice, if any, from the TFS.
Planner Response There is no acceptable solution, and therefore the proposal is assessed against the performance criteria below: <ul style="list-style-type: none"> • The site at 466 Brighton Road is in an area that is dominated by agricultural use. Vegetation surrounding the site reflects the nature of the agricultural use, being degraded pasture (grassland). Grassland vegetation within the proposed hazard management area can be managed to reduce risk to the site from bushfire attack. • The Tasmanian Government is reforming the youth justice system through a comprehensive, integrated and therapeutic approach that prioritises the rights of children, rehabilitation and breaking the cycle of offending. The development of the new facility will allow for the closure of the AYDC in the north of the state, and the proposed facility will then provide a significant, overriding benefit to the community. • Given the site is large and situated on grassland it is considered to be a low-risk site. • An emergency management strategy for the proposal has been prepared and provided in Appendix G. • TFS advice was sought in the early stages of planning and incorporated into design. The performance criteria (P1) are satisfied.	
A2 An emergency management strategy (vulnerable use) is endorsed by the TFS or accredited person.	P2 No Performance Criterion.
Planner Response Refer to the emergency management strategy prepared by North Barker Ecosystem Services in Appendix G. This has been endorsed by the TFS. The acceptable solution (A2) is met.	
A3 A bushfire hazard management plan that contains appropriate bushfire protection measures that is certified by the TFS or an accredited person.	P3 No Performance Criterion.
Planner Response Refer to the bushfire hazard management plan prepared by DECYP in Appendix G. This has been certified by an accredited person. The acceptable solution (A3) is met.	

9 Other assessment matters

9.1 Aboriginal heritage

The protection of Aboriginal cultural heritage in Tasmania is administered through the *Aboriginal Heritage Act 1975*. This is independent to the planning assessment process under the *Land Use Planning and Approvals Act 1993*. Aboriginal Heritage Tasmania has advised that there may be registered Aboriginal relics or a risk of impacting registered Aboriginal relics on and near the site. As such, an unanticipated discovery procedure is recommended to be in place throughout the construction process.

9.2 European heritage

The site is not listed on the Tasmanian Heritage Register; therefore, an assessment process under the *Historic Cultural Heritage Act 1995* is not required. It is noted that there are several heritage listed properties in close proximity to the subject site, as shown in Figure 21.

10 Conclusion

This planning permit application seeks approval for the use and development of a Custodial Facility (the new Tasmanian Youth Justice Facility) located at 466 Brighton Road, Pontville. The site is owned by the Crown and is approximately 32 ha in size, situated between the Midland Highway and Brighton Road.

The facility is designed to house up to 24 young people, comprising 20 residential beds, two treatment beds in the health centre, and two orientation beds in the admissions area. In addition, the facility will include a health centre providing health and mental support, education and recreational facilities, and a cultural centre and garden. Landscaping will also be provided across the site.

The proposed development provides a considered and respectful design for the subject site. The development has been situated in such a way as to provide considerable setbacks to adjoining residential properties, and landscaping is proposed across the site to provide screening and enhance the natural setting. The proposed buildings incorporate a variety of materials, colours and finishes to ensure the bulk of the overall design is broken up and will complement the site and surrounds.

An assessment against all relevant standards is outlined in Sections 6, 7 and 8 of this report. A total of 28 standards within the planning scheme are applicable to the proposal, and the proposal relies on the planning authority to exercise its discretion in relation to ten of the applicable standards. The relevant standards, and whether the proposal complies with the acceptable solution or relies on the performance criteria, is outlined in Table 31.

Table 31 – Summary of the applicable standards and whether the proposal relies on the acceptable solutions or performance criteria

Clause	Standard	Acceptable solution or performance criteria
Rural zone		
20.3.1	Discretionary use	Relies on P1
		Relies on P2
20.4.1	Building height	Complies with A1
20.4.2	Setbacks	Complies with A1
		Relies on P2
Signs code		
C1.6.1	Design and siting of signs	Complies with A1
		Complies with A2
		Complies with A3

Clause	Standard	Acceptable solution or performance criteria
C1.6.2	Illuminated signs	Relies on P1
		Complies with A2
Parking and sustainable transport code		
C2.5.1	Car parking numbers	Complies with A1
C2.5.3	Motorcycle parking numbers	Relies on P1
C2.5.4	Loading bays	Complies with A1
C2.6.1	Construction of parking areas	Complies with A1
C2.6.2	Design and layout of parking areas	Complies with A1.1 and A1.2
C2.6.3	Number of accesses for vehicles	Complies with A1
		Complies with A2
C2.6.5	Pedestrian Access	Complies with A1.1 and A1.2
C2.6.6	Loading bays	Complies with A1
		Complies with A2
Road and railway assets code		
C3.5.1	Traffic generation at a vehicle crossing, level crossing or new junction	Relies on P1
Natural assets code		
C7.6.2	Clearance within a priority vegetation area	Relies on P1.1 and P1.2
Scenic protection code		
C8.6.2	Development within a scenic road corridor	Complies with A1
		Relies on P2
Attenuation code		
C9.5.2	Sensitive use within an attenuation area	Relies on P1
Bushfire prone areas code		
C13.5.1	Vulnerable uses	Relies on P1
		Complies with A2

Clause	Standard	Acceptable solution or performance criteria
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Complies with A3

The design and scale of the proposed development for the new Tasmanian Youth Justice Facility are considered appropriate within the context of the site, and specialist reports demonstrate the capability of the site to meet the relevant acceptable solutions and performance criteria of the Rural zone and the applicable codes.

The application for the proposed use and development has been found to meet the requirements of the *Tasmanian Planning Scheme – Southern Midlands* and can therefore be approved.

Appendix A Certificate of Title

Appendix B Architectural plans

Appendix C Signage plans

Appendix D Landscape plans

Appendix E Traffic impact assessment

Appendix F Natural values assessment

Appendix G Bushfire hazard management plan and assessment

Appendix H Agricultural assessment

Appendix I Acoustic assessment

Appendix J Concept servicing report and plan

Appendix K Building services plans

Appendix L New access road and water supply plans

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03/11/2025

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Submission to Planning Authority Notice

Application details

Council Planning Permit No. DA2500106
Council notice date 11/09/2025
TasWater Reference No. TWDA 2025/01081-STM
Date of response 14/11/2025
TasWater Contact Al Cole
Phone No. 0439605108

Response issued to

Council name SOUTHERN MIDLANDS COUNCIL
Contact details mail@southernmidlands.tas.gov.au
Development details
Address 466 BRIGHTON RD, PONTVILLE
Property ID (PID) 3523093
Description of development Youth Justice Facility

Schedule of drawings/documents

Prepared by	Drawing/document No.	Revision No.	Issue date
Pitt and Sherry	General Arrangement/2101, 2104, 2105	C	28/10/2025

Conditions

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

CONNECTIONS, METERING & BACKFLOW

1. A suitably sized water supply with metered connection to the development must be designed and constructed to TasWater's satisfaction and be in accordance with any other conditions in this permit.

Advice: TasWater will not accept direct fire boosting from the network unless it can be demonstrated that the periodic testing of the system will not have a significant negative effect on our network and the minimum service requirements of other customers serviced by the network. To this end break tanks may be required with the rate of flow into the break tank controlled so that peak flows to fill the tank do not also cause negative effect on the network.

2. Any removal/supply and installation of water meters and/or the removal of redundant and/or installation of new and modified property service connections must be carried out by TasWater at the developer's cost.

3. Prior to commencing construction/use of the development, any water connection utilised for construction/the development must have a backflow prevention device and water meter installed, to the satisfaction of TasWater.

ASSET CREATION & INFRASTRUCTURE WORKS

4. Prior to applying for Engineering Design Approval, the developer must physically locate all existing infrastructure to provide sufficient information for accurate design and physical works to be undertaken.
5. Plans submitted with the application for Engineering Design Approval must, to the satisfaction of TasWater show, all existing, redundant and/or proposed property services and mains.
6. Prior to applying for a Permit to Construct new infrastructure the developer must obtain from TasWater Engineering Design Approval for new TasWater infrastructure. The application for Engineering Design Approval must include engineering design plans prepared by a suitably qualified person showing the hydraulic servicing requirements for water to TasWater's satisfaction.
7. Prior to works commencing, a Permit to Construct must be applied for and issued by TasWater. All infrastructure works must be inspected by TasWater and be to TasWater's satisfaction.
8. Prior to undertaking any works related to water, physical markers must be in place that clearly identify where water and/or sewer connections are to be made in accordance with any approved plan to TasWater's satisfaction.
9. In addition to any other conditions in this permit, all works must be constructed under the supervision of a suitably qualified person in accordance with TasWater's requirements.
10. Prior to the use of the development & the issue of a Certificate of Water and Sewerage Compliance (Building and/or Plumbing) all additions, extensions, alterations or upgrades to TasWater's water and sewerage infrastructure required to service the development, are to be completed generally as shown on, and in accordance with, the plans listed in the schedule of drawings/documents, and are to be constructed at the expense of the developer to the satisfaction of TasWater, with live connections performed by TasWater.
11. After testing, to TasWater's requirements, of newly created works, the developer must apply to TasWater for connection of these works to existing TasWater infrastructure, at the developer's cost.
12. At practical completion of the water and sewerage works and prior to applying to TasWater for a Certificate of Water and Sewerage Compliance (Building and/or Plumbing), the developer must obtain a Certificate of Practical Completion from TasWater for the works that will be transferred to TasWater. To obtain a Certificate of Practical Completion:
 - a. Written confirmation from the supervising suitably qualified person certifying that the works have been constructed in accordance with the TasWater approved plans and specifications and that the appropriate level of workmanship has been achieved.
 - b. A request for a joint on-site inspection with TasWater's authorised representative must be made.
 - c. Security for the twelve (12) month defects liability period to the value of 10% of the works must be lodged with TasWater. This security must be in the form of a bank guarantee.

- d. Work As Constructed drawings and documentation must be prepared by a suitably qualified person to TasWater's satisfaction and forwarded to TasWater.

Upon TasWater issuing a Certificate of Practical Completion, the newly constructed infrastructure is deemed to have transferred to TasWater.

13. After the Certificate of Practical Completion has been issued, a 12-month defects liability period applies to this infrastructure. During this period all defects must be rectified at the developer's cost and to the satisfaction of TasWater. A further 12-month defects liability period may be applied to defects after rectification. TasWater may, at its discretion, undertake rectification of any defects at the developer's cost. Upon completion, of the defects liability period the developer must request TasWater to issue a "Certificate of Final Acceptance". TasWater will release any security held for the defect's liability period.
14. The developer must take all precautions to protect existing TasWater infrastructure. Any damage caused to existing TasWater infrastructure during the construction period must be promptly reported to TasWater and repaired by TasWater at the developer's cost.
15. Ground levels over the TasWater assets and/or easements must not be altered without the written approval of TasWater.
16. A construction management plan must be submitted with the application for TasWater Engineering Design Approval. The construction management plan must detail how the new TasWater infrastructure will be constructed while maintaining current levels of services provided by TasWater to the community. The construction plan must also include a risk assessment and contingency plans covering major risks to TasWater during any works. The construction plan must be to the satisfaction of TasWater prior to TasWater's Engineering Design Approval being issued.

DEVELOPER CHARGES

17. Prior to TasWater issuing a Certificate(s) for Certifiable Work (Building and/or Plumbing), the applicant or landowner as the case may be, must pay a developer charge totalling \$19,404.31 to TasWater for water infrastructure for 11.044 additional Equivalent Tenements, indexed by the Consumer Price Index All groups (Hobart) from the date of this Submission to Planning Authority Notice until the date it is paid to TasWater.

DEVELOPMENT ASSESSMENT FEES

18. The applicant or landowner as the case may be, must pay a development assessment fee of \$802.53 to TasWater, as approved by the Economic Regulator and the fee will be indexed, until the date paid to TasWater.

The payment is required within 30 days of the issue of an invoice by TasWater.

Advice

General

For information on TasWater development standards, please visit

<https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit

<https://www.taswater.com.au/building-and-development/application-information/application-for-development-services-form>

Important Notice Regarding Plumbing Plans and Associated Costs

The SPAN includes references to documents submitted as part of the application. These plans are acceptable for planning purposes only and are subject to further detailed assessment and review during the next stage of the development proposal.

TasWater's assessment staff will ensure that the design contains sufficient detail to assess compliance with relevant codes and regulations. Additionally, the plans must be clear enough for a TasWater contractor to carry out any water or sewerage-related work.

Depending on the nature of the project, your application may require Building and/or Plumbing permits or could be exempt from these requirements. Regardless, TasWater's assessment process and associated time are recoverable through an assessment fee.

Please be aware that your consultant may need to make revisions to their documentation to ensure the details are fit for construction. Any costs associated with updating these plans should be discussed directly with your consultant.

Developer Charges

For information on Developer Charges please visit the following webpage –

<https://www.taswater.com.au/building-and-development/developer-charges>

Water Submetering

As of July 1, 2022, TasWater's Sub-Metering Policy no longer permits TasWater sub-meters to be installed for new developments. Please ensure plans submitted with the application for Certificate(s) for Certifiable Work (Building and/or Plumbing) reflect this. For clarity, TasWater does not object to private sub-metering arrangements. Further information is available on our website (www.taswater.com.au) within our Sub-Metering Policy and Water Metering Guidelines.

Service Locations

Please note that the developer is responsible for arranging to locate the existing TasWater infrastructure and clearly showing it on the drawings. Existing TasWater infrastructure may be located by a surveyor and/or a private contractor engaged at the developers cost to locate the infrastructure.

- a. A permit is required to work within TasWater's easements or in the vicinity of its infrastructure. Further information can be obtained from TasWater.
- b. TasWater has listed a number of service providers who can provide asset detection and location services should you require it. Visit <https://www.taswater.com.au/building-and-development/service-locations> for a list of companies.

Declaration

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

From:
Sent: Tuesday, 18 November 2025 1:21 PM
To: SMC Mail
Subject: DA2500106

To:
General Manager
Southern Midlands Council

Subject: Objection to Development Application DA2500106 – Custodial Facility (Tasmanian Youth Justice Facility), 466 Brighton Road, Pontville (CT 188959/1)

Dear Sir/Madam,

I am writing to lodge my formal objection to **Development Application DA2500106** for a **Custodial Facility (Tasmanian Youth Justice Facility)** proposed at **466 Brighton Road, Pontville (CT 188959/1)**. I reside directly beside the proposed site at _____ and I am extremely concerned about the significant negative impacts this facility would have on my property, amenity, and long-term future.

1. Incompatibility With Residential and Rural Uses

The proposal places a secure custodial facility immediately adjacent to established homes. This type of intensive institutional land use is clearly incompatible with the semi-rural residential character of the surrounding area. The facility's scale, operational requirements, and security measures would fundamentally alter the environment that current residents rely on.

2. Adverse Impact on Property Value and Saleability

A major concern for me is the **direct impact this development will have on my ability to sell my property in the future**. The presence of a youth detention facility immediately next door is likely to significantly diminish market interest, reduce buyer confidence, and lower property value.

No property owner should be placed in a position where the development of a high-impact custodial institution undermines their long-term financial security or ability to relocate.

3. Loss of Residential Amenity (Noise, Lighting, 24-Hour Operations)

Custodial facilities operate around the clock and require extensive lighting, vehicle movements, staff shifts, and security activity. These impacts will create noise, glare, and constant disruption, all of which will be directly experienced at my home due to the immediate proximity of the development.

4. Traffic and Infrastructure Concerns

Brighton Road is not designed to support the level of traffic expected from staff, service providers, emergency vehicles, and visitor movements associated with a detention facility. Increased traffic volumes and night-time vehicle activity will compromise safety and residential quiet enjoyment.

5. Security and Community Safety Issues

While security systems will be in place, the type of facility proposed introduces unavoidable concerns for nearby residents. The potential for incidents, disturbances, or emergency responses represents a level of risk and anxiety inappropriate for homes situated only metres away.

6. Lack of Adequate Community Consultation

Given the scale and sensitivity of this proposal, the community expected meaningful engagement and transparency. The extent of consultation to date has been insufficient and does not reflect the significant impact the development will have on neighbouring residents.

Conclusion

For the reasons outlined above—including the serious impact on the future saleability and value of my property—I respectfully request that Council **reject DA2500106** or require the proponent to consider a more suitable location that does not impose unreasonable burdens on existing residents.

Please keep me informed of all future notices, hearings, and opportunities to provide further input regarding this application.

Yours faithfully,

From:
Sent: Friday, 21 November 2025 5:35 PM
To: SMC Mail
Cc: Karen Dudgeon; Anthony Bisdee; Robert Campbell; Donald Fish; Donna Blackwell; Fraser Miller; Edwin Batt
Subject: DA2500106 Tasmanian Youth Justice Facility
Attachments: Pontville Youth Justice Facility Submission.docx

For the attention of the General Manager

I express hereby my opinion regarding the proposed Custodial Facility for Pontville.

As a resident within the Southern Midlands Council area, having due regard to the long-term needs of our community, I request that Council refuse the application for development.

My opinion based on appropriate experience in community services delivery and understanding of the youth justice sector has been expressed to Councillors in earlier correspondence and I attach an expanded version for your information.

This will also be sent to Members of Parliament.

A DUPLICATE OF ASHLEY BADLY IMPACTS PUBLIC SAFETY AND YOUTH OUTCOMES

Good health, education, full employment and sustainable housing together keep our community safe. This is not rocket science. The pathway to law and order; the backbone of community safety, cannot be found while punishment focused, 'tough on crime' policy and practices prevail. It is not possible to separate issues of housing, cost of living pressures and health from community safety, even though necessary youth justice (and adult justice) reform seems far away.

There is a better way to manage youth justice. The current Tasmanian Government has identified the need for positive change and has committed to more therapeutic pathways but by replicating a failed detention centre as a foundation for change is not a good precursor to success. We are at risk of perpetuating the enormous social emotional and economic burdens of youth justice unless appropriate supports and diversionary options become inherent in the culture of the service. Support and diversion should be the service *raison d'être*.

Our community has come to understand the failings in our Youth Justice system. There is quiet belief in the direct connection between poor justice outcomes for young people and 'graduation' into the grown-up prison population. There is overwhelming evidence that any expectation that a period of detention improves behaviour, particularly in young people, points directly to our failure to make society a better and safer place.

Without a *whole of government* and community philosophy of remedial and restorative justice; addressing the key determinants of health and well-being, we present an undeniably greater risk to community safety.

"Pervasive incarceration provides very little impact for public safety," wrote Professor Bruce Western, a much-published Australian international sociologist. Place-based, locally driven solutions are productive.

Evidence that restorative, therapeutic jurisprudence delivers a 'triple bottom line' to our communities in social, emotional and economic benefits, is everywhere! Best practice models from around the world (some even in this country) are easily adopted when the *will* to build a safe, just and healthy society through justice reform takes form. Good, bankable outcomes are inevitable where penalties for offences are well matched by judges and magistrates given sentencing options with restorative diversionary pathways.

Investment in well evidenced, practiced and successful justice reform does deliver significant returns directly to community. Adoption and application of restorative justice principles better satisfies victims of crime, addresses criminogenic needs and community safety. A pathway to 'Law and Order' is right there.

Getting tough on the *causes* of crime addresses key social determinants of health, well-being and community safety. The late Deakin Professor Joe Graffam rightly said: "Healthy communities produce healthy individuals."

While the declared intent for the Youth Justice Centre in Pontville points to much better principles than previously applied for young people, it can be shown that alternative smaller scale, local facilities would be much more effective.

Facilities like 'group homes' established more locally for young offenders; say one in each of our three regions, would be much more accessible for families and close support networks. Most likely and importantly, three regional facilities connected to local communities would be much more easily staffed with appropriately skilled professionals.

There is overwhelming evidence against the building of a new youth detention facility in our small State and much well considered opinion internationally and in Australia regarding alternative approaches to youth justice issues.

There is clearly no deterrent factor about imprisonment or detention worth anything like the huge economic, social and emotional cost to our community of incarceration and the punishment factor has little value even for victims of crime. Detention centres and prisons can be described as warehouses for people, mostly for whom disadvantage has been the trigger for offending and certainly for recidivist behavior. This is a fact; never more apparent than in the downstream effects of youth detention.

The Tasmanian Commissioner for Children and Young People has stated: "smaller facilities allow for greater individualized responses to the needs of young people, which in turn create more opportunities for positive relationships between the young people and facility staff."

Courts empowered and resourced for restorative practices definitely do not need an inappropriate \$150M detention centre at Pontville to add value to victims, offenders and the broader community.

No-one denies the need for maintenance of community safety norms or balanced retribution for offences. The justice reforms established in progressive jurisdictions internationally that we could replicate would simply turn these critical issues from the archaic, colonial 'tough on crime' approach to deliver smarter, cost effective and socially appropriate outcomes.

Dealing with the causes of crime would be a lot smarter and much more effective than current practice. Mental ill health, addictions and social dysfunction are behind most of the crimes that make us mad at offenders; young and old. Much of this mix can be better supported within communities, through health services and other interventions. Therapeutic jurisprudence applied in sentencing, in community corrections and through inclusive social programs reduces economic, social and emotional costs to community.

The national *Justice Reform Initiative*, states: "evidence informs us that the earlier children become enmeshed in the criminal justice system, especially through incarceration, the greater the chance they will go on costing the community far more in the longer term."

The facts supporting therapeutic jurisprudence, restorative justice and more progressive investment in justice reform are undeniable.

The innate sense of community in restorative, repairing action fosters inclusion and safer communities. Surely this is what Governments at all levels seek to achieve, isn't it? It is difficult in the extreme to see this happening with a high cost, centralised, punitive, service, whatever the idealistic images of the Pontville facility present.

I do not object at all to establishment of the proposed model for youth though am of the firm belief that restorative, diversionary opportunities must be created to support young participants in the justice system.

I do not object to the building of a facility somewhere in the Pontville area, though the proposed location does have some significant and counterproductive features.

I earnestly suggest that smaller facilities be established and appropriately staffed in at least three regions. This most certainly is a pathway to far more value for money through positive investment and for genuine and productive outcomes for young people.

21st November, 2025

From:
Sent: Wednesday, 26 November 2025 11:17 AM
To: SMC Mail
Subject: Tasmanian Youth Detention Centre Facility Pontville

The General Manager
PO Box 21
Oatlands Tas 7120

To: The General Manager and Councillors
Southern Midlands Council

I write to strongly oppose the proposed Youth Justice Facility at Pontville.

I have lived on my property for 26 years, raised my family here, and this home holds enormous personal and emotional significance — including being the place where my late husband passed away. For nearly three decades, this quiet rural community has been my refuge. I have never needed to lock my doors or worry about safety. This proposal would permanently destroy the rural lifestyle and sense of peace that residents like myself have built over decades.

My objections are outlined below, with direct reference to the relevant provisions of the Tasmanian Planning Scheme – State Planning Provisions (SPPs).

1. Incompatible Use with Rural Living Zone Purpose

The Rural Living Zone is intended to protect residential amenity, low-density character, and quiet enjoyment of rural landscapes.

The proposed Youth Justice Facility conflicts with this purpose on every level. Its scale, institutional nature, 24-hour operations, and high-intensity vehicle movements do not align with the zone's purpose under the Rural Living Zone provisions (Clause 10.1).

This conflict is a valid and significant planning concern that weighs strongly against approval.

2. Loss of Amenity — Noise, Lighting & Operational Impacts

The SPPs clearly state under Use Standards – Amenity (Clause 24.3.1, Performance Criterion P1) that uses must not cause an unreasonable loss of amenity to adjoining residential or rural-living zones, having regard to:

- noise**
- lighting**
- hours of operation**
- vehicle movements**
- emissions**

The proposed facility operates 24 hours a day, with constant staff movements, shift changes, emergency responses, security operations, and lighting. This is incompatible with the surrounding rural-residential environment.

Performance Criterion P1 specifically requires considering whether the timing, duration or extent of operations cause unreasonable amenity loss — this proposal clearly does.

3. External Lighting Impacts — Security & Night-time Illumination

Under Clause 24.3.1 A2 & P2, any external lighting must:

- **be baffled so that direct light does not spill into adjoining properties**
- **not cause unreasonable loss of amenity**
- **have regard to illumination level, duration, and proximity to dwellings**

Given the institutional nature of the development, extensive security lighting is inevitable. It is almost certain to cause:

- **night-time illumination intruding into homes**
- **glare**
- **loss of rural darkness**
- **ongoing sleep and lifestyle disturbance**

This is unlikely to comply with P2 and represents a significant planning conflict.

4. Excessive Traffic & Vehicle Movement Impacts

The application anticipates approximately 280 vehicle movements per day, an extreme number for a quiet rural community.

The SPPs require assessment of commercial vehicle movements under Clause 24.3.1, Performance Criterion P3, which looks at:

- **number and frequency of vehicle trips**
- **noise from manoeuvring (including reversing alarms)**
- **size and type of vehicles**
- **safety conflicts with other road users**
- **amenity loss to adjoining properties**

This level of movement is inconsistent with rural amenity and constitutes an unacceptable loss of residential enjoyment under P3.

The driveway running along the back of my property further intensifies the intrusion.

5. Stormwater & Environmental Risk

The proposal includes large buildings, driveways, car parks, and hard surfaces. Under the SPPs' Stormwater Management requirements (Clause 6.7.5 & Rural Living Zone Clause 10.4.1), developments must:

- manage stormwater to avoid impacts on neighbouring land**
- ensure runoff does not increase erosion or flooding**
- incorporate water-sensitive design where appropriate**

To date, there is insufficient detail to demonstrate that stormwater flows, increased runoff, or pollution risks are controlled. This is a significant deficiency.

The planning scheme requires stormwater management that is compatible with surrounding topography and existing drainage — the proposal does not yet achieve this.

6. Surrounding Land-Use Conflicts

The site is bordered by:

- a marijuana plantation**
- a gun club**
- a whisky distillery**
- a major highway**

These adjacent uses raise safety, security, environmental, and amenity concerns. The planning scheme requires (under Zone

Purpose Statements and Amenity Standards) that new uses avoid conflict with existing ones.

The exposure of vulnerable youth to firearms activity and industrial-level land uses alone raises serious planning and social concerns.

7. Lack of Genuine Community Consultation

Although statutory notification requirements (14 days) have been met, the scale and nature of this proposal warranted:

- **early community briefings**
- **public information sessions**
- **full transparency about design, security, traffic, and environmental impacts**

Good planning practice requires meaningful community engagement, especially where rural character and longstanding residential amenity are at risk.

This has not occurred.

8. Emotional, Social & Lifestyle Impacts (Planning-Relevant)

The planning scheme's amenity standards explicitly protect:

- **privacy**
- **noise levels**
- **lighting**
- **quiet enjoyment**
- **safety**
- **general residential amenity**

This development would irrevocably change how I live in my home — the place where I raised children, built memories with my late husband, and relied on the peace and quiet for emotional wellbeing.

These impacts are valid and substantial under the planning scheme.

9. Impacts on Property Value (Through Amenity Loss)

Although property value alone is not a planning matter, the loss of:

- amenity**
- privacy**
- traffic safety**
- noise**
- environmental quality**

directly affects the planning outcomes the SPPs seek to protect.

A use that causes unreasonable amenity loss may be refused on planning grounds — and the corresponding reduction in property value is a natural consequence of those impacts.

Conclusion

Based on:

- direct conflicts with Use Standards – Amenity (Clause 24.3.1, P1–P3)**
- failure to demonstrate compliance with lighting standards (A2/P2)**
- inconsistency with the purpose of the Rural Living Zone**
- potential noncompliance with stormwater management requirements (6.7.5 / 10.4.1)**
- unacceptable traffic impacts under P3**
- nearby land-use conflicts**
- and substantial, permanent amenity loss**

I respectfully request that Southern Midlands Council refuse the application or require it be relocated to a more compatible site.

Thank you for considering my submission.

Kind regards,

From:
Sent:
To: SMC Mail
Subject: OBJECTIONS TO THE PROPOSED PONTVILLE YOUTH JUSTICE FACILITY

To Whom It May Concern

OBJECTIONS TO PROPOSED PONTVILLE YOUTH JUSTICE FACILITY

Our property, “_____” in Pontville has already been directly impacted by the proposed Youth Justice Facility being located in Pontville. Our property is currently on the market and we had a buyer who was due to sign a contract of sale back in August. On the day of signing we had a telephone call from our Agent to say that our buyer had pulled out of the sale as she had just heard about the Youth Justice Facility and was afraid for her future safety, particularly as she is on her own. We also had a gentleman who was due to inspect the property pull out the day prior, citing that “_____” was out of the question as a potential home due to his having discovered that the Facility is scheduled to be built about 2km away.

The location of the proposed Youth Justice Facility is having a direct impact on the saleability of “_____” and its marketable price. We have been advised by our Agent that the price should be decreased. Interstate buyers do not want a facility full of youth offenders on their doorstep. As news reports show around the country, this element of society is currently the most out of control, dangerous, brazen and the least likely to listen to authority and comply with regulations. Naturally anyone would worry about a Facility to house this type of offender being in such close proximity to their home and family.

In addition, this section of the Southern Midlands is part of the Heritage Highway, so called for a very specific reason: there are many historic properties in this area which attract visitors and buyers. A facility with clearly prison-like qualities and installations is not going to be an asset but rather a liability to the beauty and uniqueness of this heritage.

The Pontville/Brighton area promotes itself as being RV friendly - who would want to stay near a detention facility on their holiday? Nearby Brighton is also one of the fastest growing areas north of Hobart with the urban sprawl beginning to show signs of merger with Bridgewater. New developments further to the north in Bagdad and Kempton indicate that this movement of urban sprawl will only increase further. In coming years, this will then place the proposed facility right in the thick of society.

There are also several other considerations which should be taken into account: the proposed facility is within earshot of a major and frequently used shooting range, there is a medicinal cannabis growing plant which often wafts the smell of drugs around the area and the Brighton Bypass, which provides direct and easy access to Hobart, will run right past the see-through fences. All of these could give these youth offenders an incentive to escape and provide ideas for offending further.

Why are millions of taxpayer dollars being wasted on building and setting up a new facility to house youth offenders when we have a perfectly situated (not too near major towns and society), purpose-built and already functioning facility in the Ashley Detention Centre?

Any failings in the running and staffing of the Ashley Detention Centre could and should be addressed, with employment of the correct type of staff and restructuring the way in which the facility deals with the offenders (ie. all the proposed re-educational spaces, ideas and plans) implemented through upgrades of the existing facility. This would naturally be at far less cost to everyone and with no impact on the local area.

This is not a “not in my backyard” argument, this is an argument for good economics and good sense.

The Southern Midlands Council Planning Authority should absolutely reject the building of the proposed Youth Justice Facility which is in effect a detention centre by another name. Council should listen to and respect the wishes of its ratepayers in not building this facility in such a controversial position. Should Council wish to accept any potential sweeteners that are being offered by the State Government to build this facility within the Southern Midlands region, a location well removed from any temptations of firearms, drugs and easy access to city and society should be identified and utilised instead.

From:
Sent: Thursday, 27 November 2025 11:58 AM
To: SMC Mail
Subject: REPRESENTATION IN OPPOSITION OF THE PROPOSED YOUTH JUSTICE FACILITY IN PONTVILLE

To whom it may concern

OBJECTIONS TO PROPOSED PONTVILLE YOUTH JUSTICE FACILITY

Our property, _____ in Pontville has already been directly impacted by the proposed Youth Justice Facility being located in Pontville. Our property is currently on the market and we had a buyer who was due to sign a contract of sale back in August. On the day of signing we had a telephone call from our Agent to say that our buyer had pulled out of the sale as she had just heard about the Youth Justice Facility and was afraid for her future safety, particularly as she is on her own. We also had a gentleman who was due to inspect the property pull out the day prior, citing that “_____” was out of the question as a potential home due to his having discovered that the Facility is scheduled to be built about 2km away.

The location of the proposed Youth Justice Facility is having a direct impact on the saleability of _____ and its marketable price. We have been advised by our Agent that the price should be decreased. Interstate buyers do not want a facility full of youth offenders on their doorstep. As news reports show around the country, this element of society is currently the most out of control, dangerous, brazen and the least likely to listen to authority and comply with regulations. Naturally anyone would worry about a Facility to house this type of offender being in such close proximity to their home and family.

In addition, this section of the Southern Midlands is part of the Heritage Highway, so called for a very specific reason: there are many historic properties in this area which attract visitors and buyers. A facility with clearly prison-like qualities and installations is not going to be an asset but rather a liability to the beauty and uniqueness of this heritage.

The Pontville/Brighton area promotes itself as being RV friendly - who would want to stay near a detention facility on their holiday? Nearby Brighton is also one of the fastest growing areas north of Hobart with the urban sprawl beginning to show signs of merger with Bridgewater. New developments further to the north in Bagdad and Kempton indicate that this movement of urban sprawl will only increase further. In coming years, this will then place the proposed facility right in the thick of society.

There are also several other considerations which should be taken into account: the proposed facility is within earshot of a major and frequently used shooting range, there is a medicinal cannabis growing plant which often wafts the smell of drugs around the area and the Brighton Bypass, which provides direct and easy access to Hobart, will run right past the see-through fences. All of these could give these youth offenders an incentive to escape and provide ideas for offending further.

Why are millions of taxpayer dollars being wasted on building and setting up a new facility to house youth offenders when we have a perfectly situated (not too near major towns and society), purpose-built and already functioning facility in the Ashley Detention Centre?

Any failings in the running and staffing of the Ashley Detention Centre could and should be addressed, with employment of the correct type of staff and restructuring the way in which the facility deals with the offenders (ie. all the proposed re-educational spaces, ideas and plans) implemented through upgrades of the existing facility. This would naturally be at far less cost to everyone and with no impact on the local area.

This is not a “not in my backyard” argument, this is an argument for good economics and good sense.

The Southern Midlands Council Planning Authority should absolutely reject the building of the proposed Youth Justice Facility which is in effect a detention centre by another name. Council should listen to and respect the wishes of its ratepayers in not building this facility in such a controversial position. Should Council wish to accept any potential sweeteners that are being offered by the State Government to build this facility within the Southern Midlands region, a location well removed from any temptations of firearms, drugs and easy access to city and society should be identified and utilised instead.

The General Manager
Southern Midlands Council
Via email only: mail@southernmidlands.tas.gov.au

27 November 2025

Dear General Manager,

Re: Objection to Development Application – Proposed Youth Justice Facility at 466 Brighton Road, Pontville (DA2500106)

We, the undersigned, represent a group of community organisations concerned with protecting the rights, health, and wellbeing of children, young people and their families in Lutruwita/Tasmania. We write to formally object to the proposed Youth Justice Facility at 466 Brighton Road, Pontville (the Facility), currently under assessment with the Southern Midlands Council (the Council).

While our organisations do not specialise in many of the common options for objecting to a DA such as environmental or planning matters, we do have expertise and a keen interest in procedural concerns, specifically procedural fairness, and ethical objections. We are deeply concerned about the Facility's likely impact on vulnerable and marginalised children and young people. These concerns, outlined in the attached joint statement, relate to the Facility's purpose, location, and design, all of which we consider incompatible with contemporary standards for youth justice and child welfare.

We urge the Council to consider their clear responsibility to act in the best interests of its community, particularly its children and young people, who are among its most vulnerable constituents. Decisions about major developments must therefore consider not only land use and design, but also the broader duty of care owed to children who may be directly or indirectly impacted by such facilities.

We recognise that not all aspects of our concerns fall within the scope of Council's decision-making in relation to discretionary development applications. Nonetheless, many planning and design elements intersect with core concerns about child safety, wellbeing, and inclusion. Our representation focuses on those intersections.

Procedural Concerns: A deeply flawed consultation process

The decision to locate the Facility at Pontville was made following a consultation process that was narrow in scope, poorly executed, and failed to meet basic standards of transparency, accessibility, and inclusion. For a project with such statewide significance and long-lasting impacts on marginalised children and young people and their families across Lutruwita/Tasmania, the consultation process was wholly inadequate. We set out those concerns below.

Defeat of Youth Justice Facility Development Bill 2025

The Government's attempt to bypass standard planning processes through the *Youth Justice Facility Development Bill 2025*, ultimately defeated in the Legislative Council, further undermined public trust and reinforced concerns about the lack of genuine consultation, procedural fairness, and community input.

The Bill's defeat reflects broader disquiet about the government's ongoing failure to consult meaningfully with the public on the proposed Facility, and its efforts to sidestep established planning processes. This was underscored by the Leader of the Government in the Legislative Council, Jo Palmer, who acknowledged that "*the likelihood of appeal is high, with a number of interested parties, including residents in the surrounding area, indicating their intention to seek legal and planning advice.*" This suggests the government was aware of significant public opposition and took steps to erode the community's right to object.

Independent MLC Meg Webb expressed concern that this was part of a broader pattern, stating, "*this is a pattern of behaviour from this government and every time they are successful in doing it, it becomes another precedent they can point to, to justify doing it again.*" Such actions begin to set a concerning precedent for bypassing just procedures and should raise serious concerns for any council receiving a DA with such a problematic history.

Community Opposition

There was overwhelming opposition to the Pontville site in the original consultation in 2023, with 100 submissions against it and only 10 in support.¹ Concerns included the site's proximity to schools and businesses, audible gunfire from nearby rifle ranges, heritage and environmental issues, poor public transport access, and its incompatibility with a therapeutic, trauma-informed facility. We understand consultation conducted in 2025 raised similar concerns on the Facility's masterplan with substantial community outrage and opposition.

Narrow Consultation Scope

Consultations thus far on the Facility have been extremely narrow in scope, focusing only on areas surrounding southern-location site options. This excludes communities with other regions of Tasmania who will be impacted by the development should their children end up residing there, thus entrenching further the geographical isolation and inequities already experienced by remote locations in Tasmania.

¹ Department for Education, Children and Young People, Tasmania. (2023). *Community engagement outcomes report: New youth detention facility site options* [PDF]. Public Document Centre. Retrieved from <https://publicdocumentcentre.education.tas.gov.au/library/Shared%20Documents/Community-Engagement-Outcomes-report-New-Youth-Detention-Facility-Site-Options.pdf>

Priority Groups

The process failed to meaningfully engage priority groups who experience disproportional vulnerability and marginalisation and in turn who will be most likely to engage in the criminal justice system, including children and young people with lived experience of the criminal justice system or detention, Aboriginal communities, and families affected by the youth justice system. Written submissions were the main avenue for feedback, excluding those with low literacy despite 50% of Tasmanians being functionally and/or originally illiterate, or requiring alternative engagement methods. Furthermore, site selection criteria privileging proximity to Nipaluna/Hobart entrenched regional disadvantage.

Youth Justice Blueprint (2024-2034)

Despite commitments in the Youth Justice Blueprint² (2024–2034) to involve young people in reform, there is no clear evidence that meaningful youth consultation took place or influenced decision-making. A second round of consultation in May 2025 repeated the same errors: it was short, narrowly focused, and again failed to include key affected communities.³

Unsuitable Location

The proposed location and design of the Facility pose serious risks to the safety, wellbeing, and rehabilitation of the children and young people it is intended to serve – future constituents of the Southern Midlands Council. Instead of supporting recovery through connection with family, community, and culture the Pontville site entrenches isolation and increases exposure to environmental and psychological harm.

Isolation

The location significantly limits access to vital supports such as family visits, community services, and specialist care. This isolation will be particularly harmful to young people from the North and North-West of Lutruwita/Tasmania, for whom regular contact would involve prohibitively long travel. This lack of accessibility undermines rehabilitation, disproportionately affects Aboriginal children, and directly contradicts both the principles of the *Closing the Gap* reforms and the Aboriginal and Torres Strait Islander Child Placement Principle. Despite engaging with multiple senior government

² Department for Education, Children and Young People. (2023). *Youth justice blueprint 2024–2034*. Tasmania Department for Education, Children and Young People. Retrieved from <https://publicdocumentcentre.education.tas.gov.au/library/Shared%20Documents/Youth-Justice-Blueprint.pdf>

³ Department for Education, Children and Young People, Tasmania. (2025, July). *Tasmanian youth justice facility: Community consultation & feedback summary report* [PDF]. Public Document Centre. Retrieved from <https://publicdocumentcentre.education.tas.gov.au/library/Shared%20Documents/Tasmanian-Youth-Justice-Facility-Community-Consultation-and-Feedback-Summary-Report.pdf>

officials, we have had heard of no satisfactory transport plans underway to mitigate such issues.

Exposure to Marijuana Odor

The site's proximity to a medicinal marijuana facility, Tasmanian Botanics, raises major concerns. Odours from the marijuana farming process, which the government themselves have acknowledged cannot be fully eliminated,⁴ will trigger young people recovering from substance abuse. Exposure to such triggers undermines recovery and places these young people at risk of relapse, re-traumatisation, and further harm. For example, exposure to such smells has been found to more than double the odds of future drug use or relapse.⁵ We believe the Southern Midlands Council, should the development go ahead, would have a significant duty of care to protect these vulnerable youth from further traumatisation.

The Tasmanian Government has repeatedly acknowledged the issue of cannabis odours from the nearby Tasmanian Botanics site. They stated that they were working with the company to develop alternative waste-disposal methods to address the issue (moving from burning to composting), noting that any such change required approval from the Commonwealth Office of Drug Control.⁶ However, the Development Application does not address this issue at all, instead stating that because the facility is located more than 100 metres from Tasmanian Botanics, "no action [is] required." The same response is provided regarding concerns about fuel burning of cannabis waste, relying on a technicality in the Attenuation Code that excludes fuel burning associated with on-farm use. In our view, it is a woefully inadequate response to such an active source of potential harm to avoid their duty of care toward these vulnerable children based on legal technicalities.

Audible Gunfire and Adverse Childhood Experiences

The site is within audible proximity to multiple rifle ranges. Evidence indicates that exposure to sounds of gunfire can result in anxiety, depression, and post-traumatic stress disorder (PTSD)^{7,8} and researchers argue that youth exposure to a single sound of gunfire should be included as an Adverse Childhood Experience (ACE) alongside child

⁴ In DPAC consultation with Laurel House (2025)

⁵ Vafaie N, Kober H. Association of Drug Cues and Craving With Drug Use and Relapse: A Systematic Review and Meta-analysis. *JAMA Psychiatry*. 2022;79(7):641–650. doi:10.1001/jamapsychiatry.2022.1240

⁶ Department for Education, Children and Young People. (n.d.). *Tasmanian Youth Justice Facility: Frequently asked questions*. Retrieved November 2025, from <https://www.decyp.tas.gov.au/safe-children/youth-justice-services/youth-justice-reform-in-tasmania/tasmanian-youth-justice-facility/tasmanian-youth-justice-facility-frequently-asked-questions/>

⁷ Harper, F. W. K., Neubauer, D. N., Hanratty, B., & Vanderpool, R. (2021).

The impact of hearing gunshots on youth: Urban vs. non-urban differences in psychological outcomes. *Current Psychology*, 42, 10538–10549. <https://doi.org/10.1007/s12144-021-02141-4>

⁸ Nogueira-Arjona, R., Sherman, M. C., Smith, A. K., & Lieberman, A. F. (2021).

Exposure to gun violence and posttraumatic stress symptoms in young children. *Journal of Traumatic Stress*, 34(2), 323–331. <https://doi.org/10.1002/jts.22466>

maltreatment and domestic violence.⁹ These environmental stressors are not only incompatible with therapeutic care but risk worsening the trauma and mental health of already vulnerable young people. As above, we urge the Southern Midlands Council to consider their future duty of care to protect these vulnerable youth from such irreversible harm.

We note that the Acoustic Engineering Town Planning Report (Appendix I) concludes that:

“...the proposed use can be designed, constructed and operated so that it will not interfere with, or constrain, the operation of the existing shooting ranges to the northwest of the site with respect to noise.”¹⁰

However, the basis for that conclusion is flawed at best. The Report suggests that the sound of gunfire in the Facility can be adequately dealt with by:

- amending the building design (using insulation)
- ensuring air-conditioning is constantly running, providing a minimum level of background noise within the Facility
- employing a “noise masking system” that uses loudspeakers to generate and distribute noise inside the building (e.g., white noise)

These options completely fail to address the deeper, trauma-based risks of the sound of gunfire. This is not simply about decibels. There is a difference between gunfire and birdsong, and it isn’t the volume. It’s the message each sound sends to a child about the environment they’re in. The attached Joint Statement notes that exposure to loud, sudden gunfire can exacerbate anxiety, hyperarousal, flashbacks, dissociation, and even PTSD – especially among children with histories of violence or trauma. Even if the facility meets acoustic performance criteria on paper, acoustic isolation does not equate to emotional safety.

Constant noise within the Facility, intended to mask the sound of gunfire, is also unsatisfactory and not at all trauma-informed. This persistent background noise will prevent children who are traumatised or neurodivergent from self-regulating, which is essential for their well-being and healing. This impact is particularly significant for young people who have experienced adverse childhood events and trauma. Finally, all mitigation suggestions pertain to indoor spaces only. There is no way to mask the noise of gunfire while outside. This is especially concerning because connection to land and country is particularly important for First Nations children and young people and access

⁹ Rajan, S., et al. (2019) Youth exposure to violence involving a gun: evidence for adverse childhood experience classification. *J Behav Med* (2019) 42:646–657 <https://doi.org/10.1007/s10865-019-00053-0>

¹⁰ Mitchell, A., & Johnstone, C. (2025, October 20). *Town Planning acoustic report: 466 Brighton Road, Pontville, TAS (Project No. 213132-A)*. DDEG. Retrieved from https://www.southernmidlands.tas.gov.au/assets/DA2500106_Appendix_I_Acoustic_assessment_20_October.pdf

to outdoor spaces is important for mental health, wellbeing, and healing. The government acknowledge this by incorporating the intentional design of outdoor spaces into their masterplan, access to which will be less than calming with the ringing of gunfire as a backdrop.

Inconsistency with Council's Own Child Safety Policy

The Southern Midlands Council's own Children Safety & Wellbeing Policy (the Policy) sets out an intent to,

*“create and maintain a child and youth safe organisation to **prioritise, promote and protect the safety and wellbeing and prevent abuse and harm of children and young people** in Southern Midlands.”¹¹*

This Policy applies to all workers within the Council, including councillors, whether or not services are provided to children as part of their elected role.

While we understand the definition of “worker” in the Policy is unlikely to be extended to those responsible for developing the proposed Facility, or the staff employed there as not being directly employed by the Council, we submit that the Policy is relevant to the decisions of Councillors in assessing the development application, and their ethical obligations to prevent harm to children and young people occurring within the Council's region.

The proposed Facility, as designed, is completely incompatible with providing children and young people with “**a safe, nurturing environment** where they are comfortable being themselves, expressing and maintaining **connections to their culture**, their spiritual and belief systems, and they are supported by people who respect their aboriginality and encourage their sense of self.”

Further, it cannot reasonably claim to, “**care about children and young people's safety and wellbeing**,” ensure that “*children and young people are informed about their rights, participate in decisions affecting them...*” or demonstrate that their, “**families and communities are informed and involved in promoting child safety and wellbeing.**”

Where such a policy is in place, we urge the Council to consider the extent to which its decisions uphold the values espoused in their own workplace values and ethics.

Approval of the proposed Facility is not in keeping with the Policy, which commits the Council to creating environments that prioritise the safety and wellbeing of children and young people, and listens to their voices in decisions that affect them. The development was preceded by a consultation process, as outlined above, that excluded many

¹¹ Southern Midlands Council. (2023). *Children safety & wellbeing policy (Version 1.0, November 2023)*. Southern Midlands Council. Retrieved from [https://www.southernmidlands.tas.gov.au/assets/Policy - Children and Young People Policy - November 2023.pdf](https://www.southernmidlands.tas.gov.au/assets/Policy_-_Children_and_Young_People_Policy_-_November_2023.pdf)

affected communities and failed to engage meaningfully with young people. The Facility's location and design raise serious concerns about its impact on wellbeing, particularly due to its isolation, limited accessibility, and exposure to environmental stressors.

In assessing this development application, we urge the Council to consider whether the Facility aligns with its own policy commitments to child safety, inclusion, and accountability.

Conflict with Commission of Inquiry Recommendations

The Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings (2021–2023) (COI) made strong and urgent recommendations for reform to ensure that all institutional settings prioritise the safety, dignity, and rights of children. It underscored the need for environments that are trauma-informed, child-centred, and governed by transparent processes with independent oversight which apply to *all* Tasmanians. In relation to children and young people in detention, the Commission stated:

“There are high rates of sexual abuse for children in detention, making children in detention among the most vulnerable in our community to this abuse. We know children in detention have often experienced trauma, maltreatment and significant development disorders, all of which are risk factors for abuse.”¹²

The Commission also highlighted the importance of engaging meaningfully with children and young people, particularly those with lived experience of the justice and out-of-home care systems, in the design and delivery of services intended for them. The proposed Facility raises serious questions about how these principles have been applied in practice.

Significant concerns remain regarding the site's suitability, its therapeutic value, and whether the design and location align with contemporary standards for youth justice care – issues which could have potentially been addressed if adequate and broader consultation had taken place much earlier in the planning process.

Endorsing the development in its current form risks undermining the intent of the COI recommendations and repeating systemic shortcomings it sought to address. Approval of this DA would risk the establishment of a rebranded but not reformed Ashley Youth Detention Centre in the Southern Midlands Councils area of responsibility – a significant risk that requires serious consideration.

¹² Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings. (2023). *Volume 5: Children in youth detention (Book 1)* [PDF]. Commission of Inquiry. https://www.commissionofinquiry.tas.gov.au/_data/assets/pdf_file/0007/722860/COI_Volume-5_ChildrenInYouthDetention.pdf

Non-Compliance with Planning Legislation

In assessing discretionary development applications, the Council is required under the *Land Use Planning and Approvals Act 1993 (Tas)* (the Act) to consider the objectives set out in Schedule 1. This includes the obligation in Part 1, clause (1)(c) to “*encourage **public involvement** in resource management and planning,*” and in Part 2, clause (f) to “*promote the **health and wellbeing of all Tasmanians** and visitors to Tasmania by ensuring a pleasant, efficient and safe environment for working, living and recreation.*” We suggest that the processes leading to this development application fail to meet the standards imposed by these objectives.

Approval of this proposed Facility would contradict the stated objectives of the legislation and would set a concerning precedent for the standard of planning expected in developments affecting marginalised populations in the future.

Harmful Design

The facility’s physical design fails to support healing. The masterplan shows small, clustered bedrooms with minimal privacy and outdoor areas surrounded by caged mesh; conditions more punitive than therapeutic. This design fosters stress and conflict, rather than safety and comfort, and stands in stark contrast to what is required for a trauma-informed, recovery-focused setting.

Despite clear evidence that connection to family and community reduces isolation and recidivism, supports mental health, and improves reintegration outcomes, the proposed location and design ignore these critical needs. Without adequate planning for transport, accommodation, or ongoing support for families, children will be left disconnected and more likely to experience harm, not healing. Such planning issues have been raised repeatedly in consultation with State Government (2025) with responses only offering that ‘options are being explored’ and with no suitable mitigation strategies yet being proposed despite the late stage progression of the planning process indicating significant oversight in due diligence.

Conclusion

We acknowledge that this is not the appropriate forum to debate whether children should ever be detained. This is a planning matter, and the Council is obligated to assess the development application strictly against relevant planning legislation, schemes, and its own policies. While we hold broader concerns about the detention of children and young people as outlined in the attached Joint Statement, we submit that the proposed Facility is fundamentally incompatible with the objectives of the *Land Use Planning and Approvals Act 1993*, the Council’s Children Safety & Wellbeing Policy, the recommendations of the COI which apply to *all* Tasmanians, and basic principles of sound planning—particularly in relation to accessibility, community engagement, and

child safety. On planning grounds alone, the development application should not proceed, and we strongly urge the Council to reject it.

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Engender Equality



Jordan River Service Inc



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Laurel House



Prisoners Legal Service Tasmania



Tasmanian Aboriginal Legal Service



Tasmanian Family and Sexual Violence Alliance



Women's Legal Service Tasmania



Yemaya



Youth Network of Tasmania



Women's Health Tasmania



Australian Lawyers Alliance

5



**Tasmanian Optional Protocol to the
Convention against Torture and Cruel,
Inhuman and Degrading Treatment
Network**



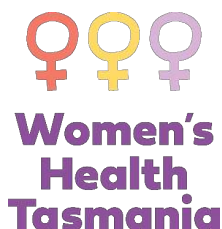
Grass Roots Action Network Tasmania

¹³ Full membership of TOPCAT: Dr Val Kitchener, Professor Rob White, Emeritus Distinguished Professor; Adjunct Associate Professor Terese Henning; Professor Nicole Asquith, Professor of Policing and Emergency Management, University of Tasmania; Mr Patrick Burton, JRI Coordinator for Tasmania; Ms Rikki Mawad.

From Harm to Healing: A community services joint statement on the proposed *Pontville Youth Justice Facility*

Lutruwita / Tasmania's youth justice system requires urgent reform to better support and protect children, young people, their families, and communities. Our children, our communities, and our state cannot afford to repeat the mistakes of the past.

This joint statement raises collective concerns and recommendations from a group of impassioned organisations who believe in a safe and just future for all children and youth in Lutruwita/Tasmania.



Acknowledgement of Country

The signatories to this joint statement acknowledge the Palawa people as the Traditional Custodians of the lands and waters of Lutruwita/Tasmania. We recognise that sovereignty was never ceded, and that colonisation and genocide continue to cause profound and ongoing harm to Aboriginal communities. We pay our deepest respects to Elders past and present, and we particularly acknowledge the strength and leadership of Aboriginal youth who continue to face systemic racism and disproportionate incarceration within the criminal justice system.

Acknowledgement of Lived Experience

The signatories to this joint statement acknowledge all those who have lived experienced of harm within the youth criminal justice system, prisons, youth detention, and other forms of incarceration. We recognise the immense strength it takes to survive systems that are unjust, punitive, and dehumanising, and we acknowledge the profound and ongoing impacts these systems have on individuals, families, and communities. We commit to amplifying the voices of those most affected, challenging the systemic injustices of the criminal legal system, and standing in solidarity in the struggle for dignity, justice, and healing.

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KEY POINTS AND RECOMMENDATIONS

Introduction

This joint statement, endorsed by 15 community service organisations, groups, and peak bodies, raises significant concerns about the Tasmanian Government's proposed Pontville Youth Justice Facility.¹ The signatories argue that the facility represents a missed opportunity for genuine youth justice reform and fails to uphold the Government's commitment to implement the recommendations of the Commission of Inquiry (Col) into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional settings. The facility as currently planned also poses a violation of the government's duty of care, commitment to child safety, and obligations under the United Nations Convention on the Rights of the Child.

We support the Australian Human Rights Commission's view that almost all the underlying causes of youth offending lie beyond the reach of the justice system itself. We believe the proposed facility's location, design, and overall approach raise serious concerns and do not reflect the kind of reform needed to deliver safe, effective outcomes for children. Now is the time to embrace genuine change and build a youth justice system grounded in the rights and wellbeing of all children.

We urge the Tasmanian Government to shift its focus away from detention-based responses and instead invest in community-led, non-carceral alternatives grounded in healing, prevention, and early intervention. These approaches must prioritise the voices and leadership of Aboriginal and other marginalised communities who are over-represented in the criminal justice system, recognise the impacts of trauma, and work to address the social determinants that contribute to young people's involvement in the justice system.

Below we outline the key points which form our objections to the proposed Facility followed by our recommendations as endorsed by the signatories of this joint statement, listed following the recommendations. Below the signatories is a more extensive discussion paper expanding on these key points and recommendations, acknowledging that this is a complex issue which warrants considered unpacking.

¹ The original draft of this joint statement was compiled by Laurel House (Dr Lucy Mercer-Mapstone and Elise Whitmore) with contributions made subsequently from other signatories.

Key Points

1. Lack of Transformational Reform

- The facility misses the opportunity to break from the punitive, carceral model of Ashley Youth Detention Centre (AYDC) rather than delivering the therapeutic, trauma-informed model recommended by the Col.
- Environmental, geographical, and design flaws undermine multiple pillars of the *Youth Justice Model of Care*, where risks and limitations of the site and design are prohibitive in the provision of trauma-informed care, family and community connection, and cultural safety.

2. Flawed Site Selection

- Location at Pontville limits access to family, culture, and community, which are crucial for rehabilitation and wellbeing by putting onerous and often prohibitive travel requirements for families and communities in regions outside the south of Tasmania.
- Proximity to environmental triggers including gunfire from nearby rifle ranges and marijuana odours from a nearby medical marijuana production facility poses risks of adverse childhood events, traumatisation, re-traumatisation, and relapse for children.

3. Failure to Uphold Commitments to Implement Recommendations of the Col

- Many recommendations of the Col seek to reduce the number of children in youth detention and in contact with the criminal justice system through prevention initiatives and this \$150million investment in a new detention centre for youth negates those commitments.
- AYDC was meant to be closed by the end of 2024 as a matter of urgency. The Government's repeated assertion that the closure of AYDC is contingent upon the opening of this new facility is a fallacy with a range of alternative evidence-based models available as modelled in other jurisdictions.

4. Design and Operational Concerns

- Facility design does not reflect a child-friendly, therapeutic environment (e.g., clustered bedrooms, caged outdoor spaces).
- Risks creating a closed, isolating institution similar to AYDC, contrary to recommendations for openness, community integration, and accessibility.

5. Inadequate Consultation Process

- Initial and follow-up consultations to decide on the location and the design were narrow, short, and lacked engagement with key stakeholders, including priority populations like children and young people, Aboriginal communities, and those in regional and remote Tasmania.
- Consultation found large a majority of consulted stakeholders rejected the location.
- The introduction (and later defeat) of the fast-tracking Youth Justice Facility Development Bill 2025 aimed to allow the development of the Facility to bypass due planning processes further eroded community trust.
- A development of state-wide significance deserves broad and deep consultation to support the legitimacy of decision made which has not been the case thus far.

Summary of Recommendations

- **Immediately close** the Ashley Youth Detention Centre.
- **Reject Pontville** as the location for the new youth justice facility.
- Prioritise youth justice responses that enable regular and meaningful **connection to family, culture and community**.
- Invest in **community-led, non-carceral alternatives** to detention, especially those grounded in Aboriginal self-determination and healing.
- Reallocate funding from this proposed development to support **primary and secondary prevention** initiatives to existing issues in the current system, including the high number of children on remand or held in police watchhouses.
- Explore and implement alternative models, using best-practice examples from other jurisdictions to guide reform.
- Ensure any new youth justice facilities in Lutruwita/Tasmania can comply **authentically with the Youth Justice Model of Care**.
- Guarantee access to comprehensive therapeutic services and ensure any facility serving children and young people in the justice system is open, community integrated, and accessible.
- Commit to **transparent, inclusive, and state-wide consultation** particularly with those likely to be impacted most by the decisions relating to the development.
- Become a national leader in child safety and justice and seriously reconsider the use of any youth incarceration in Lutruwita/Tasmania.

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**Tasmanian Optional Protocol to the
 Convention against Torture and Cruel,
 Inhuman and Degrading Treatment
 Network**

(TOPCAT; OPCAT Implementation Act
 2021.)

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DISCUSSION PAPER

Introduction

Lutruwita / Tasmania has a significant opportunity to build changed systems and approaches to youth justice that will **support an end to the current cycles of disadvantage and harm** in Tasmania, while also leading the way for the nation.

The government is not in this alone – there is opportunity to more meaningfully seek the support from the community, expertise from the community sector, victim-survivors, children and young people, Tasmanian Aboriginal communities, propriety populations, and the new Commission for Children and Young People to **help to change the culture that has led to unforgivable outcomes over decades**.

This is our chance to start from the beginning rather than making insubstantial changes at the edges of a system that the *Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings* (Col) told us is harmful. The Commissioners described hearing evidence from children in youth detention as harrowing, with **abuses that were “callous, cruel and degrading.”**³ We cannot let such abuses be repeated.

The proposed \$150 million⁴ Pontville Youth Justice Facility (the facility) represents a significant **missed opportunity for meaningful reform**. The facility is not fit-for-purpose and fails to provide a safe or appropriate response to the complex needs of children and young people in the justice system.

Investment in another high-cost detention centre **does not address the underlying causes of harm or the systemic failures** that contribute to young people’s involvement with the justice system. Such an approach focuses on the symptoms rather than the root causes, thus perpetuating cycles of disadvantage and harm.⁵ It is also our view, based on reviews of the current facility masterplan⁶ and consultations with the team

³ Commission of Inquiry into the Tasmanian Government’s Responses to Child Sexual Abuse in Institutional Settings. (2023). *Final report* (Vols. 1–6). Tasmanian Government. <https://www.commissionofinquiry.tas.gov.au/final-report>. Page 59 (7.4)

⁴ As allocated in the 2025-2026 Tasmanian State Budget released in May 2025

⁵ Consistent evidence is now available to demonstrate that adverse childhood experiences (ACEs)—a term to describe the cumulative effects of both maltreatment (physical, sexual and emotional abuse, and physical and emotional neglect) and household dysfunction (parental separation, domestic violence, mental illness, substance abuse and incarceration) before the age of 18—are prevalent in youth justice populations and that those with a higher number of ACEs are the most likely to engage in serious, violent and chronic offending (page 1): Australian Institute of Criminology. (2022, June). *Adverse childhood experiences and trauma among young people in the youth justice system* (Trends & Issues in Crime and Criminal Justice No. 651). Canberra, ACT: Australian Institute of Criminology. Retrieved from https://www.aic.gov.au/sites/default/files/2022-06/ti651_adverse_childhood_experiences_and_trauma_among_young-people.pdf.

⁶ Department for Education, Children and Young People. (n.d.). *New Tasmanian Youth Justice Facility*. Retrieved 2025, from <https://www.decyp.tas.gov.au/safe-children/youth-justice-services/youth-justice-reform-in-tasmania/tasmanian-youth-justice-facility/>

behind the development of the masterplan (June 2025) that the facility design does not yet reflect a trauma-informed, child rights-based approach capable of addressing the institutional failings identified by the Col.

We also **reject the Government's repeated assertion that the closure of Ashley Youth Detention Centre (AYDC) is contingent upon the opening of this new facility.**

Advocates arguing for the immediate closure of AYDC without waiting for a new detention facility have consistently highlighted a range of alternative approaches grounded in human rights, trauma-informed care, and evidence-based models of youth justice such as secure, non-custodial, community-based and therapeutic responses such as those implemented in other jurisdictions.

The government has historically weaponised delays to the closure of AYDC against any critiques of Pontville in ways which problematically seek to quash valid concerns. They also continue to cite advancement of planning processes for Pontville as a reason to proceed with a fundamentally flawed decision and project, **as if resources already invested in planning are good enough a reason to perpetuate future harms against children.** As Robert Benjamin AM SC, Tasmania's inaugural Child Safety Reform Implementation Monitor and previously one of three Commissioners for the Col, states:

*"Fixed time limitations should not undermine effective implementation of [Col] recommendations. For my part, I would prefer a reasonable delay with an effective outcome rather than complying with arbitrary deadlines and giving poor outcomes for children."*⁷

The Tasmanian Government's **funding commitment would be better directed towards establishing primary and secondary** prevention work, in tandem with additional community-led, non-carceral alternatives to youth detention, particularly those rooted in Aboriginal self-determination and healing.

The recent *'Help way earlier!': How Australia can transform child justice to improve safety and wellbeing* report released by the Australian Human Rights Commission (AHRC) states that a **public health approach** may be better equipped to deal with the complex interaction of multiple factors in relation to children in the youth justice system⁸. Further, the report states that,

"Almost all the underlying causes of negative behaviour displayed by children lie beyond the reach of the youth justice system."

⁷ Courageous Conversations, Launceston, April 2025

⁸ Hollonds, A. (2024, August 20). *Help Way Earlier! How Australia can transform child justice to improve safety and wellbeing* (Report). Australian Human Rights Commission. Tabled in Federal Parliament August 20, 2024.
https://humanrights.gov.au/sites/default/files/document/publication/1807_help_way_earlier_-_accessible_0.pdf

Any such alternative approach should be **grounded in child rights, designed to address the drivers of harm, and focused on breaking the cycle of disadvantage.**

In the below sections we outline **issues relating to the purpose of the proposed facility at Pontville, the model of care, and the location and design of the facility**, making alternative recommendations for approaches that are grounded in child rights and designed to break the cycle of harm. These issues and recommendations are informed by consultations with Tasmanian state government and associated consultants, community services organisations, and victim survivors of sexual harm, child sexual abuse, and youth detention. These issues remain unresolved and were reiterated by landowners, businesses, Aboriginal people, and service providers in the most recent consultation on the facility Masterplan (May 2025), indicating a significant lack of support from broad stakeholders:

*Feedback from the broader community highlights concerns about the facility's location, accessibility, and design, questioning whether it will truly support rehabilitation.*⁹

1. Purpose of the facility

We hold serious concerns that the proposed Pontville facility fails to deliver the transformational reform necessary to ensure the safety, wellbeing, and dignity of children and young people in detention. While the closure of AYDC is both essential and long overdue, **the new proposal represents a missed opportunity to break from a punitive, carceral model – put simply, we don't need another Ashley.** Rather than offering a genuinely therapeutic and rights-based alternative, the current design risks entrenching outdated approaches under the guise of reform. The facility, as proposed, lacks a clear and purposeful vision centred on healing, care, and rehabilitation while also posing the potential to cause further disadvantage to children if not addressed.¹⁰ Further issues with the facility's location, design, and operational model are detailed in the following sections.

2. Location & Design

The proposed **location and design of the Pontville facility present serious and unacceptable risks to the safety, wellbeing, and recovery of children and young people.** Rather than supporting therapeutic outcomes, the facility's location and structural design entrench barriers to rehabilitation and compound the harm already experienced by many of these young people. The AHRC Help Way Earlier Report states that,

⁹ Tasmania Department for Education, Children and Young People. (2025, August). *Youth Justice Facility Masterplan – community consultation & feedback summary now available*. Retrieved from <https://www.decyp.tas.gov.au/2025/08/youth-justice-facility-masterplan-community-feedback-summary-available/>

¹⁰ Reviews suggest that youth justice detention centres can increase criminogenic behaviours and entrench further disadvantage. Australian Institute of Criminology. (2020, October). *Youth justice in Australia: Themes from recent inquiries* (Trends & Issues in Crime and Criminal Justice No. 605). Canberra, ACT: Australian Institute of Criminology. Retrieved from https://www.aic.gov.au/sites/default/files/2020-09/ti605_youth_justice_in_australia.pdf (page 7)

“a genuinely therapeutic and rehabilitative model should promote positive social connection with a child’s family, community and culture, and be focused on building connection and relationships.”¹¹

The facility’s location in Pontville will **significantly limit access to family connection, community supports, throughcare, and specialist services** - key elements in preventing abuse and promoting recovery. This directly contradicts Recommendation 14 of the *Help Way Earlier* report, which recommends that

“Australian Governments resource the redesign of services to be place-based and informed by evidence and local community priorities, in line with Priority Reforms 1 of the National Agreement on Closing the Gap.”¹²

Environmental Triggers

The proximity of the proposed facility to a medicinal marijuana production site (‘Tasmanian Botanicals’) poses a grave concern. Strong odours emitted during cultivation and harvesting are likely to be unavoidable entirely. While the government reports exploring improved disposal methods to reduce odours (composting rather than burning), we understand that marijuana odour will still be strong during harvesting which cannot be avoided. These **odours may act as potent triggers for young people recovering from substance use or those with lived experience of familial substance misuse**. This is particularly problematic given that research shows justice-involved youth experience high rates of substance use.¹³ **Exposure to such triggers undermines recovery and places these young people at risk of relapse, re-traumatisation, and further harm**, for example, exposure to such smells has been found to more than double the odds of future drug use or relapse.¹⁴

The **location near two seven-day-a week rifle ranges, where gunfire can be heard regularly, is wholly inappropriate for a facility intended to promote healing**. While we understand the government is currently undertaking research to mitigate this issue, we cannot imagine any solution will remove this sound pollution entirely other than

¹¹ Hollonds, A. (2024, August 20). *Help Way Earlier! How Australia can transform child justice to improve safety and wellbeing* (Report). Australian Human Rights Commission. Tabled in Federal Parliament August 20, 2024.

https://humanrights.gov.au/sites/default/files/document/publication/1807_help_way_earlier_-_accessible_0.pdf (page 76)

¹² Hollonds, A. (2024, August 20). *Help Way Earlier! How Australia can transform child justice to improve safety and wellbeing* (Report). Australian Human Rights Commission. Tabled in Federal Parliament August 20, 2024.

https://humanrights.gov.au/sites/default/files/document/publication/1807_help_way_earlier_-_accessible_0.pdf (page 75)

¹³ Zapolski, t. et al. (2019) Family and Peer Influences on Substance Attitudes and Use among Juvenile Justice-Involved Youth. *J Child Fam Stud*. 2019 February ; 28(2): 447–456. doi:10.1007/s10826-018-1268-0.

¹⁴ Vafaie N, Kober H. Association of Drug Cues and Craving With Drug Use and Relapse: A Systematic Review and Meta-analysis. *JAMA Psychiatry*. 2022;79(7):641–650. doi:10.1001/jamapsychiatry.2022.1240

closure of these rifle ranges which we understand is an unlikely outcome. We also question why such mitigation studies are being done at this late stage, rather at the point of site selection when they surely would have led to a decision to rule out Pontville as an unsafe option for children.

For children and young people recovering from trauma, the sound of gunfire will be profoundly distressing, impeding any attempt to provide a safe and therapeutic environment. Indeed, **evidence indicates that exposure to sounds of gunfire can result in anxiety, depression, hyperarousal, flashbacks, dissociation, and PTSD especially for those with historical exposure to violence^{15,16, 17} and researchers argue that youth exposure to sounds of gunfire should be included as an Adverse Childhood Experience (ACE) alongside child maltreatment and domestic violence.¹⁸**

The youth in detention are highly likely to have experienced multiple forms of ACEs prior to incarceration and adding to these by placing them in an environment that guarantees further ACEs in a facility designed to keep them safe is an entirely unacceptable decision and **violation of the government's duty of care, commitment to child safety, and obligations under the United Nations Convention on the Rights of the Child** Article 19 to be protected from harm.

Barriers to Family and Community Connection

A NSW government report found that maintaining family and community contact while in custody has been shown to reduce isolation, alleviate depressive symptoms, and support reintegration outcomes for detained youth.¹⁹ The Tasmanian Government also reiterated the importance of family and community connection, stating in a recent report that:

Keeping young people connected to family and community, is vital.²⁰

¹⁵ Harper, F. W. K., Neubauer, D. N., Hanratty, B., & Vanderpool, R. (2021).

The impact of hearing gunshots on youth: Urban vs. non-urban differences in psychological outcomes. *Current Psychology*, 42, 10538–10549. <https://doi.org/10.1007/s12144-021-02141-4>

¹⁶ Nogueira-Arjona, R., Sherman, M. C., Smith, A. K., & Lieberman, A. F. (2021).

Exposure to gun violence and posttraumatic stress symptoms in young children. *Journal of Traumatic Stress*, 34(2), 323–331. <https://doi.org/10.1002/jts.22466>

¹⁷ van der Kolk, 2014 *The body keeps the score: Brain, mind, and body in the healing of trauma*. Viking.

¹⁸ Rajan, S., et al. (2019) Youth exposure to violence involving a gun: evidence for adverse childhood experience classification. *J Behav Med* (2019) 42:646–657 <https://doi.org/10.1007/s10865-019-00053-0>

¹⁹ Office of the Inspector of Custodial Services. (2015, January 30). *Making connections: Providing family and community support to young people in custody* (Report No. 98). Government of Western Australia. <https://www.oics.wa.gov.au/reports/making-connections-providing-family-and-community-support-to-young-people-in-custody/>

²⁰ Tasmania Department for Education, Children and Young People. (2025, August). *Youth Justice Facility Masterplan – community consultation & feedback summary now available*. Retrieved from <https://www.decyp.tas.gov.au/2025/08/youth-justice-facility-masterplan-community-feedback-summary-available/>

The neuroscience of developmental trauma ^{21,22,23} makes clear: recovery is driven by repeated, safe, and nurturing relational experiences. Accessibility for family and significant safe adults is not a 'soft' consideration — it is a clinical necessity. When young people maintain strong connections to family and community, baseline arousal levels decrease, self-worth improves, self-sabotaging behaviours reduce, and capacity for trust and emotional regulation increases.

The location presents **insurmountable challenges for families, particularly those living in regions that are geographically isolated from the South of Lutruwita / Tasmania**. An eight-hour round trip by car which would be required from many of these locations places regular, meaningful family and community contact beyond reach for most families—further isolating children and young people and compromising their recovery and wellbeing. This is especially disadvantageous in North-West Tasmania, as 5.7% of households do not have access to a motor vehicle, and the number of single-parent families with children under the age of 15 is significantly higher than the State average.²⁴

This issue is particularly important for Aboriginal young people who we know are overrepresented in justice systems.²⁵ The Aboriginal and Torres Strait Islander Child Placement Principle (ATSICPP) is a nationally recognised framework in Australia designed to promote the rights, safety, wellbeing, and cultural identity of Aboriginal and Torres Strait Islander children in child protection systems.²⁶ It originated as a response to the harm caused by past child removal policies, including the Stolen Generations, and aims to ensure that Aboriginal and Torres Strait Islander children remain connected to family, community, and culture wherever possible. The inaccessibility of the location makes this incredibly difficult and will, in many cases, **reduce Aboriginal children's connection to family, community, and culture, thereby negatively impacting their identity and wellbeing**. We know that Aboriginal and Torres Strait Islander people represent 8.4% of the North-West population (State average 5.4%).²⁷ This reiterates calls from Aboriginal communities and services in Lutruwita / Tasmania for community-

²¹ van der Kolk, 2014 *The body keeps the score: Brain, mind, and body in the healing of trauma*. Viking.

²² Perry, B.D. (2006). *The neurosequential model of therapeutics*. Reclaiming Children and Youth, 14(3), 38–43.

²³ Siegel, D. (2012). *The Developing Mind: How Relationships and the Brain Interact to Shape Who We Are*. New York: Guilford Press.

²⁴ Public Health Information Development Unit. (2025, June). *Social health atlases of Australia: Local government areas (Tasmania, 2021)* [Data set]. Torrens University Australia. <https://phidu.torrens.edu.au/social-health-atlases/data#social-health-atlases-of-australia-local-government-areas>

²⁵ Australian Institute of Health and Welfare. (2024, December 13). *Youth detention population in Australia 2024: First Nations young people*. Canberra, ACT: AIHW.

²⁶ SNAICC – National Voice for our Children. (2017). *Understanding and applying the Aboriginal and Torres Strait Islander Child Placement Principle: A resource for legislation, policy, and program development*. Melbourne, VIC: SNAICC. https://www.snaicc.org.au/wp-content/uploads/2017/07/Understanding_applying_ATSICPP.pdf

²⁷ Public Health Information Development Unit. (2025, June). *Social health atlases of Australia: Local government areas (Tasmania, 2021)* [Data set]. Torrens University Australia. <https://phidu.torrens.edu.au/social-health-atlases/data#social-health-atlases-of-australia-local-government-areas>

led, non-carceral alternatives to youth detention, rooted in Aboriginal self-determination and healing.

The Help Way Earlier Report quotes “Elija,” a young person in detention, speaking about the impact of not being able to see their family while in youth detention,

“But once you’re locked up ... if you don’t have a good family behind you, someone to visit you, someone to call – you lose your mind in there²⁸.”

Based on consultations with Tasmanian state government, it is our belief that current plans do not make adequate provision for transport, funding subsidies, accommodation, or public transport access that would enable families and community members to maintain these vital connections. Even with comprehensive planning around such provisions, the onus for families to travel such distances - meaning being away from their own homes, communities, work, and family obligations - would be **barrier enough to make the kind of frequent connection required for beneficial outcomes highly inaccessible.**

Design Concerns

The current design of the facility fails to prioritise the creation of a safe, supportive, and home-like environment. The masterplan shows small, closely clustered bedrooms within buildings that **do not foster comfort, privacy, or a sense of belonging**. This configuration risks escalating tension and conflict among residents, while offering little opportunity for retreat or respite.

Moreover, the inclusion of **caged mesh outdoor areas** associated with these living spaces contradicts any intended therapeutic benefit of the facility’s touted ‘natural surroundings.’ To promote healing and wellbeing, the design must provide private, spacious, and thoughtfully planned areas that support personal space, privacy, and connection with nature—none of which are achieved under the current proposal.

3. Inadequate Consultation Process in Decision-Making

The consultation process undertaken to inform the original decision to locate the new facility at Pontville was narrow in scope, poorly targeted, and inadequate in both depth and duration. For a project with profound implications for vulnerable children and young people across the state, we believe **the consultation failed to meet a basic standard of meaningful, inclusive engagement.**

Publicly available information details that the formal consultation period ran for just six weeks, from 23 March to 4 May 2023. During this time, public engagement activities were overwhelmingly focused on communities within close proximity to only three

²⁸ Hollonds, A. (2024, August 20). *Help Way Earlier! How Australia can transform child justice to improve safety and wellbeing* (Report). Australian Human Rights Commission. Tabled in Federal Parliament August 20, 2024.

https://humanrights.gov.au/sites/default/files/document/publication/1807_help_way_earlier_-_accessible_0.pdf (page 7)

southern-based proposed sites: Dowsing Point, Risdon, and Pontville.²⁹ This geographic restriction **excluded the broader Lutruwita / Tasmanian public from having a meaningful say on an issue of state-wide significance**, particularly those in the North and North-West.

Of submissions received, the vast majority of those that commented on the Pontville site expressed strong opposition: **100 submissions against compared to just 10 in favour**. Concerns raised included the site's proximity to the Lark Distillery and Tasmanian Botanicals, the audible gunfire from two nearby rifle ranges, heritage protections, the nearby schools, a lack of public transport, and the site's high visibility—factors that are fundamentally incompatible with a therapeutic, trauma-informed facility.

The consultation also failed to meet accessibility and inclusion standards. We understand written submissions were the only formal mechanism outside of regionally restricted drop-in sessions, which is problematic given the low rates of literacy in Lutruwita / Tasmania.³⁰ Consultation with Tasmanian community services indicates that **no sufficient targeted engagement appears to have been undertaken with children and young people** including those with lived experience of detention and their families, Aboriginal communities, or other priority groups—many of whom require more time and alternative methods to meaningfully engage in such processes.

Further, the underlying site selection criteria, which required the facility to be located within reasonable driving distance of Nipaluna / Hobart CBD, must be questioned on equity grounds. Lutruwita / Tasmania's youth justice system serves the entire state. Locating the only secure facility in the South **entrenches geographic disadvantage** for children and families further afield, who already face significant structural barriers to accessing services, support, and representation.

In addition to issues regarding consultation for the site, there are also deficiencies in relation to a lack of consultation with children and young people. Despite assurances made to communities and community service organisations that children and young people have been consulted, there remains a **lack of transparency** regarding the number of individuals engaged, the methods used for their involvement, and the extent to which their feedback has shaped the outcomes of this work, across the continuum from prevention and early intervention to youth detention.

The Youth Justice Blueprint (2024-2034) (the Blueprint) includes **a commitment to involve children and young people in youth justice reform efforts** and states, “A *children and young person's consultation strategy will be developed for all individual*

²⁹ Tasmanian Department of Education. (n.d.). *Community engagement outcomes report: New youth detention facility site options*. Hobart, TAS. Retrieved 2025, from <https://publicdocumentcentre.education.tas.gov.au/library/Shared%20Documents/Community-Engagement-Outcomes-report-New-Youth-Detention-Facility-Site-Options.pdf>

³⁰ Tasmanian Council for Adult Literacy. (2021, February). *A road map to a literate Tasmania* (Roadmap). Hobart, TAS: Tasmanian 100% Literacy Alliance.

actions.”³¹ This is to ensure that young people are consulted throughout development and implementation processes. Further, the Blueprint refers to the Col recommendation for the development of an empowerment and participation strategy for children and young people in detention. The Youth Justice Reform Taskforce Action Plan 2024-25 doesn't refer to a consultation strategy, the empowerment and participation strategy, or any specific actions to engage young people, despite children and young people being identified as partners next to each action area.³² While we understands work has progressed on the participation and empowerment strategy, this strategy is not expected to refer to youth engagement activity for individual youth justice actions.

Unfortunately, the consultation undertaken in May 2025 on the facility Masterplan (as outlined in the consultation summary report³³) repeated all the failures of the original consultation in 2023 as outlined above. Consultation was restricted to three weeks, focussed disproportionately on community members in close proximity to the site thus excluding those everywhere else in the state, and as far as is discernible in public material, did not target priority populations impacted by the proposal beyond Aboriginal communities.

In addition to the lack of consultation, we also note the introduction of the *Youth Justice Facility Development Bill 2025* (the Bill) which sought to fast-track the development of the new youth justice facility by bypassing standard planning procedures. The Bill was defeated in the Legislative Council on 5 June 2025 by a vote of 8 to 6. Those opposed to the Bill cited concerns about the **erosion of democratic planning processes, the removal of appeal rights and community input, and the undermining of transparency, accountability, and natural justice.**

The Bill's defeat reflects broader concerns about the government's failure to properly consult the public on the youth detention facility, and their motivation to circumvent genuine input and consultation. This was emphasised by the Leader of the Government in the Legislative Council, Jo Palmer, who said, “*The likelihood of appeal is high, with a number of interested parties, including residents in the surrounding area, indicating their intention to seek legal and planning advice,*”³⁴ This indicates that the government knew there were high levels of community concern, and took steps to attempt erode the public's right to object to the development. Independent Member of the Legislative Council expressed concerns that this was an attempt to circumvent planning laws,

³¹ Department for Education, Children and Young People. (2023, December). *Youth Justice Blueprint 2024–2034* [PDF]. Tasmanian Government. Retrieved July 22, 2025, from <https://publicdocumentcentre.education.tas.gov.au/library/Shared%20Documents/Youth-Justice-Blueprint.pdf>

³² Department of Premier and Cabinet. (2024). *Youth Justice Reform Taskforce Action Plan 2024–2025* [PDF]. Tasmanian Government. https://assets.keepingchildrensafe.tas.gov.au/media/documents/Youth_Justice_Reform_Taskforce_Action_Plan_2024-25.PDF

³³ Tasmania Department for Education, Children and Young People. (2025, August). *Youth Justice Facility Masterplan – community consultation & feedback summary now available*. Retrieved from <https://www.decyp.tas.gov.au/2025/08/youth-justice-facility-masterplan-community-feedback-summary-available/>

³⁴ Killick, D. (2025, June 10). *No fast-track for the Ashley replacement*. The Mercury. Retrieved from <https://megwebb.com.au/article-no-fast-track-for-the-ashley-replacement/>

stating, “this is a pattern of behaviour from this government and every time they are successful in doing it, it becomes another precedent they can point to, to justify doing it again.”

A decision of this magnitude demands transparent, inclusive, and well-resourced engagement with the communities most affected. The process undertaken does not meet this standard, and thus the legitimacy of the site selection remains in question.

4. Model of Care (MOC)

A therapeutic, child-centred MOC

*Australian children have few legal rights and in the context of youth justice, community safety tends to be prioritised over the best interests and wellbeing of children. “Tough on crime” approaches to youth justice law and policy have been influenced by penal populism, whilst the voices of practitioners who work with young people who commit offences remain largely ignored.*³⁵

Save the Children Australia & 54 Reasons, in their report *Putting Children First: A Rights-Respecting Approach to Youth Justice in Australia* argue for embedding a rights-centred perspective into youth justice systems. They emphasize this approach should place **children’s dignity, safety, and wellbeing at the system’s core, not be an afterthought.**³⁶

We commend the Department of Premier and Cabinet (DPAC) in the development of the Tasmanian Youth Justice Model of Care (YJMOC), which was released in December 2024.³⁷ The YJMOC aspires towards a transformative approach to youth justice, prioritising the inherent dignity, safety, and wellbeing of children, and moving towards a framework that is therapeutic, trauma-informed, and culturally safe. However, we hold **concerns that the YJMOC will not be successful in implementation if issues set out in this statement are not adequately addressed.**

We are concerned that the YJMOC will be moulded to “fit” the facility design, rather than the other way around, risking replicating issues seen at AYDC. The MOC cannot be separated from other concerns set out above, such as location, accessibility, and

³⁵ Walsh, T., & Fitzgerald, R. (2022). Youth Justice, Community Safety and Children’s Rights in Australia. *The International Journal of Children's Rights*, 30(3), 617-643. <https://doi.org/10.1163/15718182-30030009>

³⁶ Save the Children Australia & 54 Reasons. (2023, April). *Putting children first: A rights-respecting approach to youth justice in Australia*. https://www.savethechildren.org.au/getmedia/4befc9d7-c9de-4088-b591-547714fc8673/Putting-children-first-A-rights-respecting-approach-to-youth-justice-in-Australia_April-23.pdf

³⁷ Tasmanian Government, Department of Premier & Cabinet. (2024, December). *Youth Justice Model of Care*. Keeping Children Friendly Tasmania. Retrieved July 17, 2025, from https://assets.keepingchildrensafe.tas.gov.au/media/documents/Youth_Justice_Model_of_Care.pdf

sensory stimuli. These all **negatively impact on the effectiveness of any therapeutic treatments.**³⁸

We echo the concerns of the Commissioner for Children and Young People Tasmania, in her feedback to the Stakeholder Engagement Team for the MOC project, that detention can be inherently harmful to children and young people, and therefore there needs to be a robust, evidence-based, and “*transformative*” MOC to adequately respond to their needs.³⁹ However, while a robust MOC is necessary, it is not sufficient. We highlight below some of the **concerns we hold in relation to whether the YJMOC can be successfully implemented.**

There are nine key principles underpinning the YJMOC (the Principles). These are:

1. Child, young person and family focused
2. Participation, agency and voice of children and young people
3. Therapeutic and strengths based
4. Trauma-informed
5. Social and community-based approaches
6. Throughcare and collaboration
7. Aboriginal culturally responsive and safe
8. Safety and wellbeing
9. Evidence-informed

While we endorse these as worthy principles, we are concerned that the issues raised above pose direct barriers to effective implementation of numerous of these principles.

The MOC cannot be **trauma informed, therapeutic, or safe** if children in detention are exposed to ACEs which result in anxiety, depression, or PTSD by proximity to frequent sounds of gunshots.

The MOC cannot promote the **safety and wellbeing** of children in detention when exposing them to harmful olfactory stimuli which may trigger traumatic childhood experiences or promote substance abuse.

The MOC cannot be **child, young person and family focused** (where access to families is explicitly named up on the YJMOC), **therapeutic and strengths based** (where strengthening **family and community** support networks is identified in the YJMOC as necessary for positive behavioural change), or enact **social and community-based approaches** when the facility is isolated in access and located up to eight hours away from children’s families, communities, and cultures, noting that the YJMOC states

³⁸ AHRC “Help Way Earlier” report 2024 reiterates the importance of families and community in delivering therapeutic, trauma-informed programs, and providing holistic work with families and caregivers (page 53)

³⁹ Commissioner for Children and Young People (Tas.). (2025, May 30). *Feedback on Youth Justice Facility Masterplan* [PDF]. Hobart, Tas.: Author. Retrieved July 17, 2025, from <https://childcomm.tas.gov.au/wp-content/uploads/2025/06/2025-05-30-CCYP-Feedback-on-Youth-Justice-Facility-Masterplan.pdf>

technology should not replace face-to-face services or connections where this is not in the child's best interests or doesn't effectively meet their needs.⁴⁰

The MOC cannot be **culturally responsive and safe for Aboriginal people** with no clear solutions for providing meaningful connection to country, identity, family and community across disparate regions for Aboriginal youth in detention.

These issues **limit the effective implementation of the YJMOD, and therefore the rights, dignity, and safety of children and young people are compromised**. The only evaluated model of care in Australia shown to yield sustained positive outcomes for justice-involved young people is the trauma-informed therapeutic care framework, as demonstrated in the Victorian evaluation of therapeutic residential care by Verso Consulting (2011).

The Verso (2011) evaluation found that therapeutic residential care led to significant reductions in challenging behaviours, improved placement stability, greater engagement with education, and enhanced relationships between young people and safe adults. **These results were achieved through highly relational, neuroscience-based, and culturally responsive approaches that address the underlying neurobiological disruptions caused by early trauma** — particularly impairments in emotional regulation, executive functioning, and attachment security.

For young people with histories of trauma, sensory triggers can provoke dysregulation, impulsivity, and aggression. The proposed Pontville site is in proximity to two such triggers as outlined above. **A truly trauma-informed model of care requires minimising environmental triggers, not embedding them into the daily sensory landscape of a custodial setting.**⁴¹

Open Access to Services: Avoiding a Closed Institution

A key factor contributing to the harmful culture at AYDC is its status as a closed institution, which the Col described as creating an “*alternative moral universe*”⁴² that fostered child sexual abuse and other dangerous practices. To break this cycle, any new facility **must be open and accessible to families, community supports, and service providers, and must allow children and young people to periodically leave the facility as part of their treatment**. This openness is especially vital for Aboriginal children, who need opportunities to connect with Country and Culture as part of their healing and recovery.

Access to essential therapeutic and support services remains severely limited at AYDC, despite repeated requests from community organisations like Laurel House to provide

⁴⁰ Tasmanian Department of Education, Children and Young People. (2024, December). *Youth Justice Model of Care* [PDF]. Hobart, TAS. Retrieved 2025, from https://keepingchildrensafe.tas.gov.au/documents/44/Youth_Justice_Model_of_Care.pdf (page 31)

⁴¹ Friedrich, S. (2025) Managing Director, Knightlamp Consulting & Psychology.

⁴² Commission of Inquiry into the Tasmanian Government's Responses to Child Sexual Abuse in Institutional Settings. (2023, September). *Volume 1: Summary, recommendations and findings* (Vol. 1, p. 49). Hobart, TAS.

services there. Given the Col's findings that the risk of child sexual abuse and harmful sexualised behaviour remains high in detention settings, **unrestricted access to trauma-informed counselling and protective services is crucial**. These services not only mitigate ongoing risks of child sexual abuse within the detention but also provide vital support to children who have experienced child sexual abuse prior to their arrival. The YJMOC identifies that working collaboratively with agencies and other providers is crucial, and that the Principles cannot be implemented alone.⁴³

5. Call for Review and Alternative Approaches

The signatories of this joint statement **call for a review of the proposed Pontville facility and recommend a redirection of the funding commitment towards a genuinely transformative alternative**. While we acknowledge the urgency to close AYDC, there is no sense replacing AYDC with a facility that is marred by the numerous issues articulated above which we assert pose an unacceptable risk of harm to Tasmanian children and young people and their families. As stated above, we also **reject the Government's repeated assertion that the closure of AYDC is contingent upon the opening of this new facility** with many viable alternatives available, some of which are listed below

The scope of this joint statement cannot include a fully developed alternative proposal, the creation of which would require more time and resources than are available to community service organisations and would ultimately fall within the remit of the State Government. We do, however, wish to highlight alternative models for consideration in an effort to provide opportunities to **engage Government, relevant Ministers, and decision-makers in solutions-focussed dialogue** as a result of this collective document.

The Justice Reform Initiative (JRI), in their submission to the Youth Justice Reform Committee inquiry into youth justice reform in Queensland, provide information about several alternative models to youth detention, including:⁴⁴

- **The Kailasha Youth and Family Wellness Centre in Hawai'i** is a trauma-informed, community-based facility that provides culturally grounded support, education, and rehabilitation services for at-risk and justice-involved youth.
- **The Diagrama Foundation in Spain** is a nonprofit organisation that provides care, education, and rehabilitation services for vulnerable and justice-involved children, adolescents, and adults through a rights-based and therapeutic approach.

⁴³ Tasmanian Department of Education, Children and Young People. (2024, December). *Youth Justice Model of Care* [PDF]. Hobart, TAS. Retrieved 2025, from https://keepingchildrensafe.tas.gov.au/documents/44/Youth_Justice_Model_of_Care.pdf (page 17)

⁴⁴ Justice Reform Initiative. (2024, January 10). *Youth Justice Reform: Submission to the Select Committee inquiry into youth justice reform in Queensland* [PDF]. Retrieved from https://assets.nationbuilder.com/justicereforminitiative/pages/335/attachments/original/1707172438/Youth_Justice_Reform_Select_Committee_inquiry_into_youth_justice_reform_in_QLD.pdf?1707172438

- **The Missouri Model in the United States** is a rehabilitative youth justice approach that emphasises small, secure, treatment-oriented facilities focused on therapy, education, and positive youth development rather than punishment.
- **The Youth Hub (Bamaga, Queensland) and Sevty7 Youth Hangout Centre (Inala, Queensland)** are community-led spaces that provide culturally safe, supportive environments for young people to access mentoring, recreational activities, and essential services aimed at prevention and early intervention.

The AHRC report also outlines **international examples of alternative detention models that take a broad holistic approach to healing** and resulted in reductions in recidivism, increased engagement in education, improved mental health outcomes, greater family and community connection, facility repurposing of facilities (away from detention), and cost saving and reinvestment in prevention.⁴⁵

Rather than replicating a correctional or punitive environment, any new approach should prioritise safety, protective family bonds and family, cultural, and community connection, recovery and rehabilitation, and provide a developmentally appropriate, rights-based response to children in crisis. We are concerned that these priorities cannot be fully implemented within the proposed Pontville facility. Further, we believe that implementation of these priorities is not possible while youth detention remains centralised in a single carceral institution. A genuine commitment to children's safety and wellbeing requires **moving away from custodial, prison-like models, and investing instead in smaller, therapeutic, community-integrated alternatives that keep children connected to care, culture and country.**

We echo the recommendation made by TasCOSS in their submission to the inquiry into Australia's youth justice and incarceration system, urging the Government to seriously consider whether the incarceration of children and young people is ever justified.⁴⁶ TasCOSS makes this recommendation based on the following considerations:

"...in light of the demonstrated negative impacts of incarceration on children and families, the ongoing concerns relating to child rights and wellbeing within detention facilities across the country, the calls from Aboriginal leaders and communities to remove Aboriginal children from custodial settings, the recent tragic deaths of two young people in youth detention, and the lack of any concrete evidence that time in youth detention is beneficial for children or their communities."

In addition to these factors, and the significant cost associated with the development of a new youth justice facility, we recommend funds be redirected into early intervention and prevention initiatives. Examples of these models have been set out above, and many other intervention and prevention programs have been detailed in the Justice

⁴⁵ Hollonds, A. (2024, August 20). *Help Way Earlier! How Australia can transform child justice to improve safety and wellbeing* (Report). Australian Human Rights Commission. Tabled in Federal Parliament August 20, 2024.

https://humanrights.gov.au/sites/default/files/document/publication/1807_help_way_earlier_-_accessible_0.pdf

⁴⁶ TasCOSS. (2024, October). **Australia's Youth Justice and Incarceration System [Submission to the Legal and Constitutional Affairs References Committee]. TasCOSS.** Retrieved from <https://tascoss.org.au/wp-content/uploads/2024/10/TasCOSS-Submission-Australias-Youth-Justice-and-Incarceration-System-.pdf>

6. Conclusion

Ultimately, the Pontville proposal **must go beyond “rebranding detention”** and deliver a genuine shift towards a therapeutic, trauma-informed model that upholds children’s rights and fosters healing, safety, and connection. Addressing the critical flaws in approach, purpose, location, design, and access is essential to ensure any facility (or facilities) provides meaningful opportunities for healing, rehabilitation, and recovery.

If the Tasmanian Government is committed to breaking the cycle of youth offending, it must commit to a true trauma-informed therapeutic care framework as the foundation of any custodial or non-custodial intervention. To proceed without these principles at the core and without eliminating environmental triggers, maximising family access, and ensuring cultural safety will be to **repeat the failings of the past under a new name**.

Without bold, rights-based reform, the proposal risks perpetuating the very harms it seeks to address and misses the chance to **create a system that truly supports the wellbeing and future of Lutruwita / Tasmania’s children and young people and their families and communities**.

⁴⁷ Sotiri, M., Schetzer, L., & Kerr, A. (2024, November). *Children, Youth Justice and Alternatives to Incarceration in Australia* [Position paper]. Justice Reform Initiative. Retrieved from https://assets.nationbuilder.com/justicereforminitiative/pages/441/attachments/original/1733879393/Dec_2024_YOUTH_JUSTICE.pdf?1733879393

From:
Sent: Monday, 1 December 2025 8:26 AM
To: SMC Mail
Cc:
Subject: Objection Letter for Youth Justice Facility in Pontville
Attachments:

To the General Manager / Senior Planning Officer,

See attached and below my Objection Letter for the Youth Justice Facility in Pontville.

Please confirm receipt of this email.

Regards,

To: Senior Planning Officer

Southern Midlands Council

PO Box 21 Oatlands TAS 7120

Re: Development Application DA2500106 – Proposed Tasmanian Youth Justice Facility, 466 Brighton Road, Pontville

Date: 29 November 2025

Introduction

I am a resident living directly opposite the proposed development site at 466 Brighton Road, Pontville. I formally object to the proposed detention facility on the grounds that it is inconsistent with the Tasmanian Planning Scheme – Southern Midlands and will cause unacceptable harm to rural character, amenity, safety, cultural heritage, and environmental values.

ERA has provided a planning report that presents a one-sided rather than a balanced assessment of the circumstances and it is not a reliable source of information in relation to the impacts of what, in reality, is an over-scaled institutional complex in this setting. Some of the errors in the report include:

- *“Based on the feedback received and feasibility investigations, the preferred site for the new facility was determined to be 466 Brighton Road, with access to be provided off Rifle Range Road.”*

Error / Truth-stretching: This statement is misleading. The site selection was **not** based on community feedback — in fact, feedback included hundreds of objections to the site selection. ERA presents “feedback received” as if it endorsed the site, when in reality it highlighted strong opposition.

- *“The facility will have a non-institutional feel and be low-lying in the landscape.”*

Error / Truth-stretching: This is a misleading and manipulative. The proposal is for an 8,200 m² custodial compound with 24-hour operations, a 6-metre anti-climb perimeter fence, 122 carparks, floodlighting, and secure access roads. That is the very definition of an institutional facility. Calling it “non-institutional” is spin designed to soften community concern.

- *“The purpose of the facility is to provide a safe, secure and rehabilitative facility for children and young people... keeping children and young people connected with family.”*

Error / Truth-stretching: This claim is misleading. Pontville is a **remote rural location** with limited public transport and long travel times from Hobart and other population centres. Families without private vehicles will face significant barriers to visiting

regularly. Far from “keeping children connected with family,” the geography of the site will isolate them and make meaningful family contact harder. The report stretches the truth by presenting a disconnected, hard-to-reach custodial compound as family-friendly.

- “Existing rural use of the site will continue in the northern area, with horse agistment retained and integrated into the facility’s operations.”

Error / Truth-stretching: This claim is misleading. At present, the entire site is used for horses and agistment, but under the proposal this will be drastically reduced as the massive custodial complex consumes most of the land. Suggesting that rural use “won’t be impacted” ignores the reality of a 24-hour institutional facility with heavy traffic, floodlighting, security fencing, and operational noise. Rural amenity and agricultural activity are fragile to these factors — horses cannot realistically coexist with sirens, visitor traffic, and security protocols.

The report stretches truth by presenting token retention of a small agistment area as proof of rural continuity, when in fact the development permanently transforms the property into an institutional compound and erases its genuine rural character.

Grounds of Objection

1. Scale and Rural Context (Clause 20.3.1 – Discretionary Uses)

- The proposal seeks to impose a 8,200m² detention complex with multiple buildings, 122 car parks, high-security fencing, and 24-hour operations.
- The Rural Zone exists to support agriculture and low-intensity rural uses. A facility of this magnitude and institutional character is fundamentally incompatible with the rural landscape and surrounding agricultural activity.
- Clause 20.3.1 requires discretionary uses to align with the zone purpose and avoid unreasonable impacts on rural character. This proposal fails that test: its bulk, institutional form, and intensity will dominate the landscape and erase Pontville’s rural identity.

Our family moved to Pontville in 2016 for its rural context and country values. We live in a Georgian sandstone residence circa 1810, a heritage property reflecting the early settlement history of the Southern Midlands. The house (210m², four bedrooms, two bathrooms) sits on 1.169 hectares, with a farm shed (88m²) and space for our two horses. This property is not only our home but a living link to Pontville’s cultural heritage.

The proposed facility would obliterate the qualities that drew us here:

- **Heritage integrity:** Our Georgian home will be visually and contextually diminished by the institutional bulk opposite.

- **Rural amenity:** Pastoral views and agricultural character will be replaced with prison fencing, floodlights, and car parks.
- **Lifestyle values:** The quiet, country environment we sought will be lost to traffic, noise, and 24-hour operations.



Family Christmas at



Mia and Rembrandt our horses at

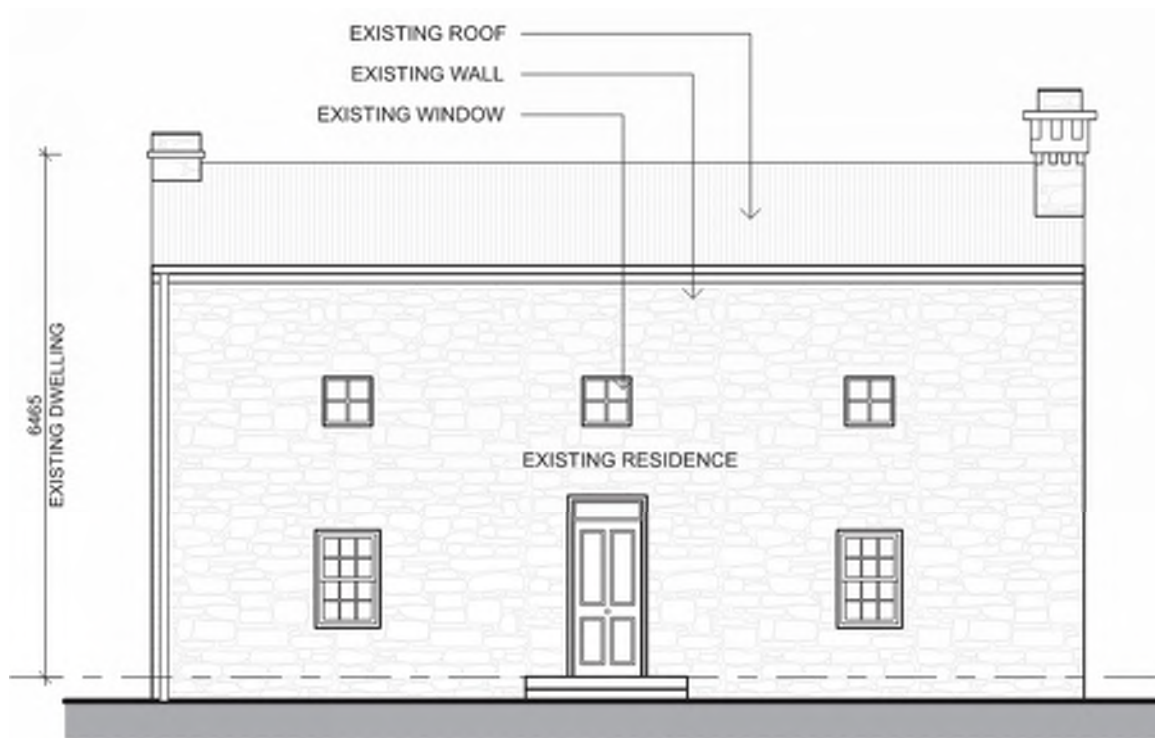
2. Building Heights and Bulk (Clause 20.4.2 – Setbacks and Standards)

Our family home is 6.465 metres high, consistent with traditional rural dwellings. The proposed buildings reach 11.8 metres — nearly double our height — a clash between rural scale and institutional bulk.

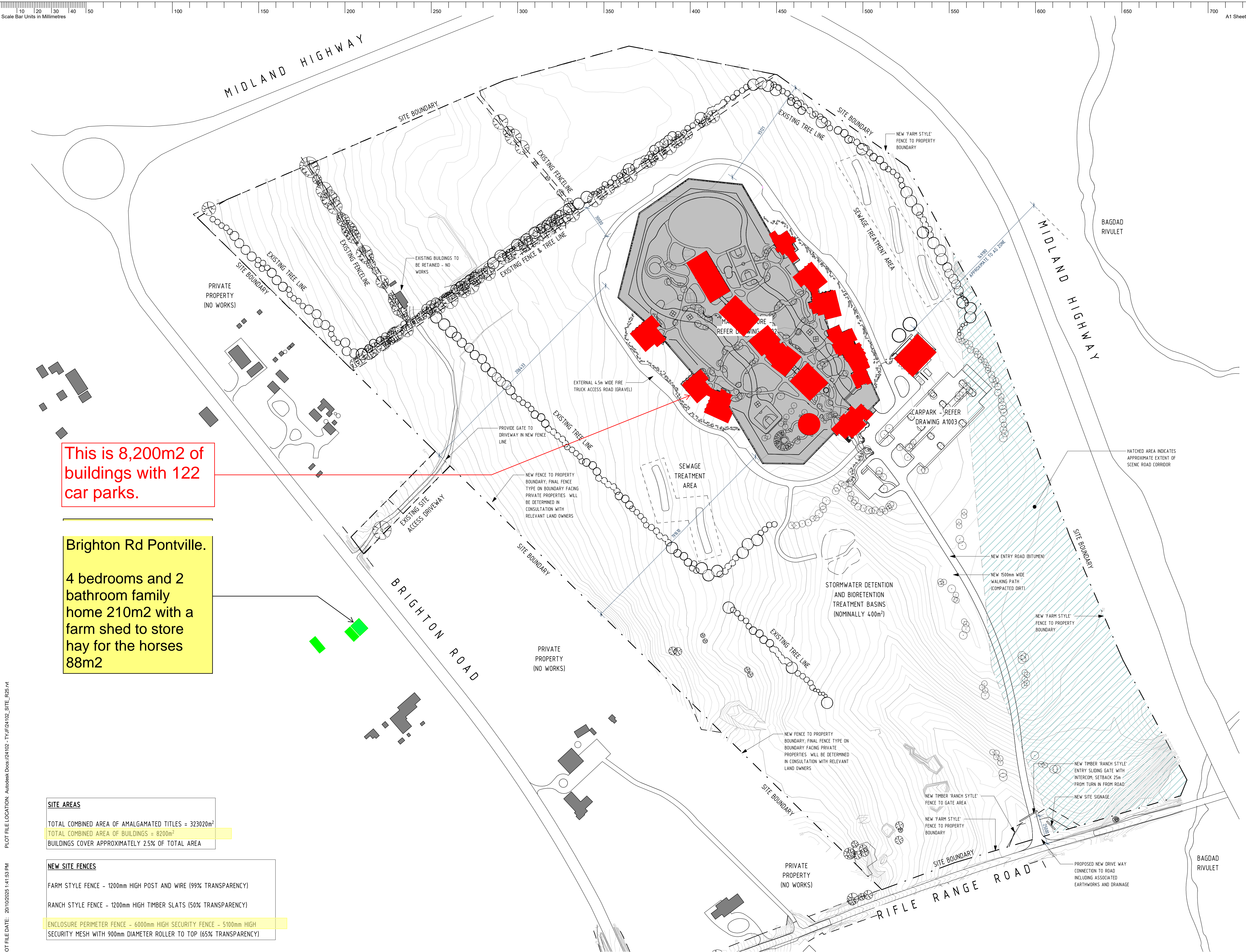
This excessive bulk will:

- Dwarf surrounding residences, undermining human scale and rural character.
- Introduce an institutional precinct, alien to Pontville’s low-rise heritage and agricultural context.
- Cause visual intrusion, eroding amenity and pastoral views.
- Breach Clause 20.4.2, which requires development to respect the scale and character of the area.

Combined with 6m-high perimeter fencing and security infrastructure, the proposal transforms the landscape into an institutional compound — a fundamental departure from the Rural Zone’s intent.



Elevation of 463 Brighton Rd Pontville



This is 8,200m² of buildings with 122 car parks.

Brighton Rd Pontville.
4 bedrooms and 2 bathroom family home 210m² with a farm shed to store hay for the horses 88m²

SITE AREAS
TOTAL COMBINED AREA OF AMALGAMATED TITLES = 323020m²
TOTAL COMBINED AREA OF BUILDINGS = 8200m²
BUILDINGS COVER APPROXIMATELY 2.5% OF TOTAL AREA

NEW SITE FENCES
FARM STYLE FENCE - 1200mm HIGH POST AND WIRE (99% TRANSPARENCY)
RANCH STYLE FENCE - 1200mm HIGH TIMBER SLATS (50% TRANSPARENCY)
ENCLOSURE PERIMETER FENCE - 6000mm HIGH SECURITY FENCE - 5100mm HIGH SECURITY MESH WITH 900mm DIAMETER ROLLER TO TOP (65% TRANSPARENCY)

SMC - KEMPTON
RECEIVED
03/11/2025

D	17/10/25	RE-ISSUED FOR PLANNING	SP	GD
C	14/10/25	40% CERTIFIER UPDATE	ZL	GD
B	01/09/25	20% COORDINATION ISSUE	SP	GD
A	12/08/25	ISSUED FOR PLANNING	SP	GD

Rev.	Date	Description	Ver.	Appr.
Drawing Status				
FOR PLANNING				

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Project
DEPARTMENT FOR EDUCATION,
CHILDREN AND YOUNG PEOPLE
NEW TASMANIAN YOUTH JUSTICE
FACILITY
466 BRIGHTON ROAD PONTVILLE 7030

Drawing Title
OVERALL SITE PLAN

Do not scale drawings. Use figured dimensions only. This drawing is to be read in conjunction with all relevant contracts, specifications, reports and drawings. Check and verify levels and dimensions on site prior to commencement of any work, preparation of shop drawings or fabrication of components. Copyright of this drawing is vested in Grieve Gillett Pty. Ltd.

Scale (at A1)
1 : 1500

Job No. 24102	Drawing No. 0-A-1001	Issue D
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3. Visual Impact and Scenic Protection (Clause C8.0 – Scenic Protection Code)

- The site lies within the Scenic Road Corridor overlay along Brighton Road and the Midland Highway.
- Prison-style fencing, floodlighting, and oversized buildings will be highly visible from public vantage points, degrading scenic values.
- The proposal fails Clause C8.6.1, which requires minimisation of visual intrusion into scenic landscapes.
- In addition, the glare and reflection from the windows of up to 122 parked vehicles will project into surrounding properties, including my home, further eroding residential amenity and rural character.

4. Lighting Impacts

- Plans specify high-intensity external lighting across perimeter roads, sterile zones, and car parks.
- This level of illumination is excessive in a rural context, causing light spill and skyglow contrary to AS4282.
- Night lighting will degrade amenity for residents, wildlife, and the broader landscape.

5. Traffic and Road Safety (Clause C3.0 – Road and Railway Assets Code)

- The Traffic Impact Assessment acknowledges up to 280 vehicle movements per day, a substantial increase for Rifle Range Road.
- Such traffic volumes are wholly inconsistent with the expectations of a rural area, where roads are designed for low-intensity agricultural and residential use.
- This level of traffic introduces serious safety risks for residents, visitors, and service vehicles, particularly given the mix of staff, custodial transport, and deliveries associated with a 24-hour facility.

6. Noise and Attenuation (Clause C9.0 – Attenuation Code)

- The site lies within the attenuation area of an active shooting range. This means regular exposure to gunfire noise is a known and predictable impact.
- Vulnerable youth would be subjected to this noise environment, which risks exacerbating trauma, distress, and behavioural challenges, undermining the very purpose of a rehabilitative facility.
- Locating a custodial centre in such proximity is inappropriate and inconsistent with the Attenuation Code, which exists to prevent exactly this kind of conflict between sensitive uses and high-impact activities.

7. Odour and Agricultural Conflicts

- The site adjoins existing agricultural operations that regularly undertake burn-offs and other land-management practices, producing strong odours and smoke.
- Vulnerable youth housed in the proposed facility would be exposed to these impacts, which are incompatible with the intent of Clause C9.5.2 requiring sensitive uses not to interfere with or be constrained by established rural activities.
- Introducing a custodial facility in this location risks creating amenity conflicts between established agricultural practices and the expectations of a sensitive institutional use. This could lead to pressure on nearby farmers to alter or restrict legitimate operations, undermining the viability of surrounding rural land.



Marijuana plantation with regular burn-offs

8. Risk of Expansion and Intensification

- Once constructed, the proposed facility will not remain static. Institutional developments of this scale are prone to incremental expansion and intensification over time — additional buildings, increased capacity, more staff, more traffic, and further security infrastructure.
- What begins as a single facility will inevitably grow and grow exponentially, compounding the already unacceptable impacts on rural character, amenity, and safety.

- This risk is particularly acute in a rural zone, where the introduction of a large institutional use sets a precedent for further non-rural development, undermining the integrity of the Planning Scheme. As seen at the Marijuana plantation.
- Council must consider not only the immediate proposal but the long-term trajectory of institutional growth that will follow if approval is granted.

9. Cumulative Impacts

Taken together — bulk and height, prison fencing, floodlighting, traffic, gunfire noise, odours, flood risks, inadequate screening, threatened species, and lack of heritage assessment — the cumulative impacts will fundamentally alter the amenity of Brighton Road and Rifle Range Road. Clause 20.3.1 requires discretionary uses not to unreasonably impact amenity. This proposal clearly does.

Conclusion

The proposed Tasmanian Youth Justice Facility is of a scale, intensity, and institutional character wholly incompatible with the Rural Zone. It will irreversibly damage rural amenity, scenic values, traffic safety, environmental assets, and cultural heritage.

These concerns are not mine alone. Laurel House, a leading sexual assault support service, has publicly stated that the Pontville facility will harm Tasmanian children by compounding trauma and failing to provide therapeutic care. Similarly, the joint “From Harm to Healing” statement, endorsed by multiple organisations, highlights the risks of locating a custodial facility in this environment and calls for community-based alternatives. These expert positions underscore that the proposal is not only inconsistent with the Planning Scheme but also contrary to broader child welfare and justice objectives.

For these reasons, I respectfully request that Southern Midlands Council refuse the application under Section 57 of the Land Use Planning and Approvals Act 1993.

Kind Regards,

From:
Sent: Monday, 1 December 2025 7:44 AM
To: SMC Mail
Subject: DA2500106 Custodial Facility (Tasmanian Youth Justice Facility)
Attachments: 20251130 Southern Midlands Council - Pontville DA .docx

Dear General Manager,

Please see attached

Rgds,

The General Manager
Southern Midlands Council
Via email: mail@southernmidlands.tas.gov.au

30th Nov 2025

Dear General Manager,

Re: Objection to Development Application – Proposed Youth Justice Facility at 466 Brighton Road, Pontville (DA Ref: DA2500106)

We write to formally object to the proposed Youth Justice Facility at 466 Brighton Road, Pontville (the Facility), currently under assessment by the Southern Midland's Council (the Council).

The Grass Roots Action Network (GRANT) is a signatory to the objections raised by the coalition headed up by Laurel House and is advocating for an approach based on *'prevention not detention'*.

We are a coalition of individuals who work in and interact with the youth space across the island. Our network is represented by school and university students, youth advocates, educators, social workers, youth workers, teacher's assistants, disability support workers, physiotherapists, lawyers, civil servants, ex corrections officers, the list goes on.

What brought us all together is a collective concern around how the issue of youth justice is being approached and represented in Tasmania and Australia.

Through our respective work and engagement with young people, one thing has become clear to all of us; that no young person is born predestined to a life of crime and delinquency, rather, it is a failure to address the social determinants of justice which leads to young people falling through the cracks and going off the rails.

This is not only our belief, but what is overwhelmingly proven in the literature, research, and statistics. The National Children's Commissioner, Anne Hollonds, highlighted in her report earlier this year that:

'most young people who become involved with the child justice system are among the most disadvantaged and vulnerable, with complex social issues influencing their involvement with the system'.

A carceral approach to youth justice -or just locking young people up - has been proven to be ineffective. Overwhelming evidence shows that the earlier a child becomes enmeshed in the criminal justice system, the greater the likelihood that they will continue in a life of crime. Research by the Justice Reform Initiative shows that 85% of young people held in detention return within a year.

It is difficult therefore, to understand why a centralised detention centre with an 85% failure rate should be built in the state. So, we need to ask; is there an alternative to detention and what is currently happening in Tasmania?

The proposal at Pontville.

Within the Tasmanian context, and specifically in terms of the Development Application before your Council, building another centralised youth detention in the south of the state to replace a failed model in the north is not the answer to addressing what is essentially a statewide social problem.

Detaining young people has been shown to cause them irreparable psychological and physical harm. One only has to think of the horrific abuses that have occurred at Ashley Youth Detention Centre (AYDC) over the years. One hundred and twenty-nine former detainees suffered abuse at Ashley and received **\$75 million** in compensation from the state government as part of a class action last year. Moreover, since the closure of Ashley was announced in 2021, the lawyer who led the class action, Angela Sdrinis, has stated that her firm has continued to receive clients alleging abuse at AYDC.

In one case study, reviewed by the 'Inquiry into the Tasmanian Government's Response to Child Sexual Abuse in Institutional Settings' Oct 2023, one mother described her son before he went to Ashley Youth Detention Centre as 'saveable'. She said:

'He was a child that still could have been turned around and had a future, but they changed that and his future's been pretty awful'.

The state government's plan to invest over **\$150 million** on a new youth 24-bed facility is misguided, and a departure from the original plan to build several smaller facilities around the state.

An opinion piece in last week's Mercury by Pat Burton and Rob White states:

A dispersed model of four or five separate smaller facilities, established throughout Tasmania, is a much better option.

We know that in countries where juvenile repeat offending is low, there is a rehabilitative, therapeutic approach to the detention of children.

A custodial oriented physical environment such as that inevitably exhibited by a centralised centre (since it deals with serious as well as less serious offenders) does not accord with this approach. The evidence shows that it is possible to detain children who have committed serious crimes in a selected, secure place within one or more of the dispersed therapeutic facilities.

Isolation

The proposed model has a strong emphasis on isolation. Firstly, isolation from the community, secondly, isolation from family and significant others and finally isolation within the facility. Isolation young people is not a great place to start when addressing the various determinants of offending and working on rehabilitation.

Court sanctioned isolation / incarceration is designed to incapacitate the offender and to keep the community safe. As a specific measure, its purpose is to deter the offender from reoffending and as general deterrent, as a message of deterrent to the wider community.

Progressive international models with recidivism figures of around 20% compared to the 85% previously mentioned practice minimal isolation and maximum community engagement and education, as well as employment and training opportunities. Young people in these models are supported and mentored by experienced university qualified practitioners, and when appropriate, the young people have regular family contact.

From a human rights perspective, these models mostly occur in countries where practices are bound by human rights legislation and / or adhere to the principles of the United Nations Convention on the Rights of the Child.

Access to supports, family and significant others

Localised, not centralised facilities would better serve young people who are detained, whether sentenced or on remand. Or alternatively, an effective bail support program would eliminate episodes of incarceration for youths who are not sentenced and is a far better option than young people being sent to a centralised detention centre, which may in some cases be hundreds of kilometres from home.

The time and expense of travel need to be acknowledged. In terms of isolation from family, significant others and supporters. A young person in detention from Smithton, for example, should expect someone to commit to a 6-hour return journey to visit them at Pontville. This can be very expensive and, in many cases, unaffordable in terms of today's cost of living challenges.

Increasing travel time, the lack of public transport, impact on opportunities for young people to remain connected to their families and to significant others.

When family supports break down, responsibility often falls to local state agencies and community support networks. If young people are detained close to these supports, restitution and support is easier and more effective.

As well as the impost on families and support services (mentioned above), there is a significant cost to the government in escorts. This is when children are remanded or sentenced to custody and required to be taken to a centralised detention facility.

Also, professionals such as legal services, therapists visiting clients in detention can be faced with similar transport challenges.

Building a centralised detention centre will lock these costs in indefinitely. So, by establishing smaller localised facilities, substantial savings can be made and those savings reinvested into other areas of need.

So, if not detention, then what?

Investing in initiatives which target the well-known social determinants of justice is an 'upstream' and 'smart' approach rather than waiting till offending warrants interventions by the criminal justice system. These determinants have been documented for decades and here in Australia, have recently been summarised in a paper published in 2023 by [McCausland and Baldry](#) and are listed below:

- *Having been in OOHC (out of home care)*
- *receiving a poor school education*
- *being Indigenous*
- *having early contact with police*
- *having unsupported mental health and cognitive disabilities*
- *problematic alcohol and other drug use*
- *experiencing homelessness and unstable housing*
- *coming from/living in a disadvantaged location*

Tackling these social determinants involves a commitment by the state and community to work together - not waiting till the lives of young people and community safety is compromised. This brings the notion of '*prevention not detention*' into focus.

A submission to the inquiry into Australia's Youth Justice and Incarceration System by the Australian Human Rights Commission stated that:

'Despite evidence of the social determinants that are the root causes of offending behaviour, policy responses to these children are often only tinkering with the symptoms, with tougher policing, stricter bail laws, and more incarceration. This is done under the guise of keeping the community safe but are often counterproductive. The solutions lie in transformational thinking and action to address systemic disadvantage'.

So, perhaps thinking outside the square is, in this instance, justified and necessary.

The structural and political challenges

There will simply be no need for a large, expensive centralised detention facility if the government adheres to its commitments to: