



APPLICATION FOR PLANNING PERMIT

DEVELOPMENT / USE

Use this form to apply for a permit in accordance with section 57 and 58 of the *Land Use Planning and Approvals Act 1993*

Proposed
use/development:
*(Provide details of
proposed works and use).*

The use and development of a custodial facility.

Location of
Development:
*(If the development
includes more than one
site, or is over another
property include address
of both Properties).*

466 Brighton Road, Pontville TAS

Certificate of Title/s
Volume Number/Lot
Number:

CT 188959/1

Land Owners Name:

The Crown in Right of Tasmania (acting through the Department for Education, Children and Young People)

Full Name/s or Full Business/Company Name

Applicant's Name:

Era Advisory obo Department for Education, Children and Young People

Full Name/s or Full Business/ Company Name (ABN if registered business or company name)

Contact details:

Postal address for correspondence:

Level 1, 125A Elizabeth Street, Hobart TAS 7000

Telephone or Mobile:

(03) 6165 0443

Email address:

enquiries@era-advisory.com.au

(Please note it is your responsibility to provide your correct email address and to check your email for communications from the Council.)

Details
Tax Invoice for
application fees to be
in the name of:
(if different from
applicant)

Department for Education, Children and Young People

Full Name/s or Full Business or Company Name and ABN if registered business or company name

Print email address

sharyn.cody@decyp.tas.gov.au

ABN

26 237 631 294

What is the estimated value of all the new work proposed

\$ 103,980,000.00

**For Commercial Planning Permit Applications Only**

Signage:

Is any signage proposed?

Yes



No



If yes, attach details: size, location and art work

Business Details:

Existing hours of operation

Hours	am	to	pm
Weekdays	N/A		
Sat			
Sun			

Proposed hours of new operation

Hours	am	to	pm
Weekdays	24 hours		
Sat	24 hours		
Sun	24 hours		

Number of existing employees:

0

Number of proposed new employees:

up to 111 at any one time on site

Traffic Movements:

Number of commercial vehicles serving the site at present

0

Approximate number of commercial vehicles servicing the site in the future

approx. 280 vehicle movements (commercial, staff and visitors) per day

Number of Car Parking Spaces:

How many car spaces are currently provided

No formal spaces are currently provided

How many new car spaces are proposed

121

Is the development to be staged:

Please tick ✓ answer

Yes



No



Please attach any additional information that may be required by Part 6.1 *Application Requirements* of the Tasmanian Planning Scheme – Southern Midlands.

Signed Declaration

I/we as owner of the land or person with consent of the owner hereby declare that:

1. I/we have read the Certificate of Title and Schedule of Easements for the land and I/we are satisfied that this application is not prevented by any restrictions, easements or covenants.
2. I/we provide permission by or on behalf of the applicant for Council officers to enter the site to assess the application.
3. The information given in this application is true and accurate. I/we understand that the information and materials provided with this application may be made available to the public. I/we understand that the Council may make such copies of the information and materials as, in its opinion, are necessary to facilitate a thorough consideration of the application.
4. I/we have secured the necessary permission from the copyright owner to communicate and reproduce the plans submitted with the application for assessment. I/we indemnify the Southern Midlands Council for any claim or action taken against it regarding a breach of copyright in respect of any of the information or material provided.
5. I/we declare that, in accordance with Section 52(1) of the Land Use Planning and Approvals Act 1993, that I have notified the owner of the intention to make this application. Where the subject property is owned or controlled by Council or the Crown, their consent is attached and the application form signed by the Minister of the Crown responsible and/or the General Manager of the Council.

Applicant Signature
(If not the Title Owner)

Applicant Name (please print)

Monica Cameron, Era Advisory

Date

12/8/2025

Land Owner(s) Signature

Land Owners Name (please print)

Joanne Palmer

Date

20/8/25



SMC - KEMPTON

RECEIVED

03/11/2025

Land Owner(s) Signature

Land Owners Name (please print)

Date

PRIVACY STATEMENT

The Southern Midlands Council abides by the Personal Information Protection Act 2004 and views the protection of your privacy as an integral part of its commitment towards complete accountability and integrity in all its activities and programs.

Collection of Personal Information: The personal information being collected from you for the purposes of the Personal Information Protection Act, 2004 and will be used solely by Council in accordance with its Privacy Policy. Council is collecting this information from you in order to process your application.

Disclosure of Personal Information: Council will take all necessary measures to prevent unauthorised access to or disclosure of your personal information. External organisations to whom this personal information will be disclosed as required under the Building Act 2000. This information will not be disclosed to any other external agencies unless required or authorised by law.

Correction of Personal Information: If you wish to alter any personal information you have supplied to Council please telephone the Southern Midlands Council on (03) 62545050. Please contact the Council's Privacy Officer on (03) 6254 5000 if you have any other enquires concerning Council's privacy procedures.

Minister for Education
Minister for Children and Youth
Minister for Disability Services



Level 9, 15 Murray Street HOBART TAS 7000 Australia
GPO Box 123 HOBART TAS 7001 Australia
Phone: +61 3 6165 9420
Email: jo.palmer@dpac.tas.gov.au

09 SEP 2025

September 2025

Mr Tim Kirkwood
Southern Midlands Council
PO Box 21
Oatlands TAS 7120

Dear Mr Kirkwood

New Tasmanian Youth Justice Facility – Planning Permit Application

Section 52 (1B) of the *Land Use Planning and Approvals Act 1993* states that if land in respect of which an application for a permit is required is administered or owned by the Crown, and the applicant is not the owner, then an application must be signed by the Minister of the Crown responsible for the administration of the land, and be accompanied by the written permission of that Minister to the making of the application.

As the Minister for Children and Youth and the Minister for Education with responsibility for the administration of this land, my written permission for submission of the planning permit application for the New Tasmania Youth Justice Facility, to be located at 466 Brighton Road, Pontville, is hereby given.

I also hereby provide my written permission for Era Advisory Pty Ltd (ACN 681 443 103) to act as agent in relation to all required permit applications for the proposed development.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jo Palmer", is written over a circular official stamp.

Hon Jo Palmer MLC
Minister for Education
Minister for Children and Youth

3 November 2025
Reference: 2425-077

Louisa Brown
Senior Planning Officer, Development & Environmental Services
Southern Midlands Council

By email: lbrown@southernmidlands.tas.gov.au; mail@southernmidlands.tas.gov.au

Dear Louisa,

Tasmanian Youth Justice Facility, 466 Brighton Road, Pontville
Response to further information request

Era Advisory continue to act on behalf of the Department for Education, Children and Young People in relation to the proposed use and development of a custodial facility at 466 Brighton Road, Pontville.

Please find below responses to Southern Midlands Council's and TasWater's further information requests, dated 30 September 2025 and 18 September 2025, respectively.

Item	Further information request	Era response
Southern Midlands Council		
1	Update documents and drawings As the previous titles for the property have now been adhered, please update the Development Application documents and drawings accordingly. Please also update the property address within the documents provided with the application to 466 Brighton Road, Pontville.	All documents and drawings have been updated to reflect the new title reference and property address. Refer to the supporting planning report and attachments.
2	Parking and Sustainable Transport Code <u>C2.6.1 Construction of parking areas</u> More detail is required to demonstrate how drainage is conveyed from car parking, hardstand, and driveway access areas to onsite detention basin. Details should include car park, hardstand and driveway grades (long sections and cross sections) and typical details of stormwater conveyance system and grades. <u>C2.6.2 Design and layout of parking areas</u> More detail is required to demonstrate that car park and access gradients are in accordance with Australian Standard AS 2890 - Parking facilities, Parts 1-6. Provide	<u>C2.6.1 Construction of parking areas and</u> <u>C2.6.2 Design and layout of parking areas</u> Refer to the civil engineering drawings in Appendix J for concept design finished surface contours, car park and roadway longitudinal sections, stormwater plans and longitudinal sections, and typical road and car park cross sections. <u>C2.6.6 Loading bays</u> Refer to the revised architectural drawings in Appendix B, servicing drawings in Appendix J and Traffic Impact Assessment (TIA) in

Item	Further information request	Era response
	cross sections and long sections of car park, hardstand and driveway access and show grades and levels of car parking and hardstand areas required for vehicle manoeuvring. In addition, please provide detail and grades of cut and fill batters surrounding car park areas and provide detail of any vehicle safety barriers if required. <u>C2.6.6 Loading bays</u> Architectural and Services plans do not match the Traffic Impact Assessment (TIA) manoeuvring areas adjacent to buildings A and B. Please update the architectural and services drawings to match TIA. In addition, please provide information on frequency of MRV loading. Please provide a dedicated turning bay within building B or provide revised turning paths for service vehicles external to Building B demonstrating how the service vehicle can exit in forward direction.	Appendix E, which all show consistent details of the manoeuvring areas. Food will be delivered to site daily, with approximately 2-3 loading operations occurring per day. A dedicated loading area and turning area is also provided now for Building B, which enables service vehicles to turn and exit in a forward direction.
3	Road and Railway Assets Code <u>C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction.</u> The TIA suggests that the intersection of Rifle Range Road and Brighton Road does not need to meet a Basic Right Turn (BAR) treatment rural intersection as per below Figure A2 from Austroads Guide to Road Design Part 4. This is due to site constraints and that drivers in an urban environment have a heightened awareness. It is Southern Midlands Council's preference to upgrade this intersection to meet Austroads standards unless it can be demonstrated that site constraints are prohibitive. Please provide details of constraints of this intersection with a BAR treatment overlayed for Council to assess whether the site constraints are too prohibitive for the intersection upgrade.	Details of the proposed upgrades to the Brighton Road and Rifle Range Road intersection are shown in the attached drawings labelled Rifle Range Road Early Works Design, prepared by Pitt and Sherry, and detailed in the updated TIA provided in Appendix E. A detailed design review by Pitt & Sherry examined the feasibility of constructing a BAR treatment at the Brighton Road and Rifle Range Road intersection. The TIA states that taking into account the Austroads warrant assessment, traffic volumes, and Pitt & Sherry's engineering review of physical constraints, provision of a BAR treatment is not feasible nor warranted. The existing simple-T configuration provides safe and efficient operation for the projected development traffic.
4	LGAT Road Standards The Tasmanian LGAT standards minimum road width for existing infrastructure is an S4 type road for Average Annual Daily Traffic (AADT) numbers between 300 and 2000 vehicles. This development will increase the AADT from 200-300 to 480-580 and therefore Rifle Range Road would need to be upgraded to meet an S4 standard minimum. Please provide details that the existing Rifle Range Road meets the above standard or note drawings to show that Rifle Range Road will be upgraded from the intersection at Brighton Road to the entrance of the proposed development to meet an S4 sealed rural road.	The designed upgrades to Rifle Range Road are to S4 standard. Refer to the civil engineering drawings in Appendix J for details.

Item	Further information request	Era response
5	Stormwater Stormwater system: Design. More detail required: · 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.	The Concept Services Report and civil engineering drawings in Appendix J have been updated to address this item, including: · 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	Stormwater system: Quality Bioretention size has been reduced from the area estimation (based on the Derwent Estuary Program recommendations) using MUSIC modelling. · 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.	The Concept Services Report and civil engineering drawings in Appendix J have been updated to address this item, including: · 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
	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.

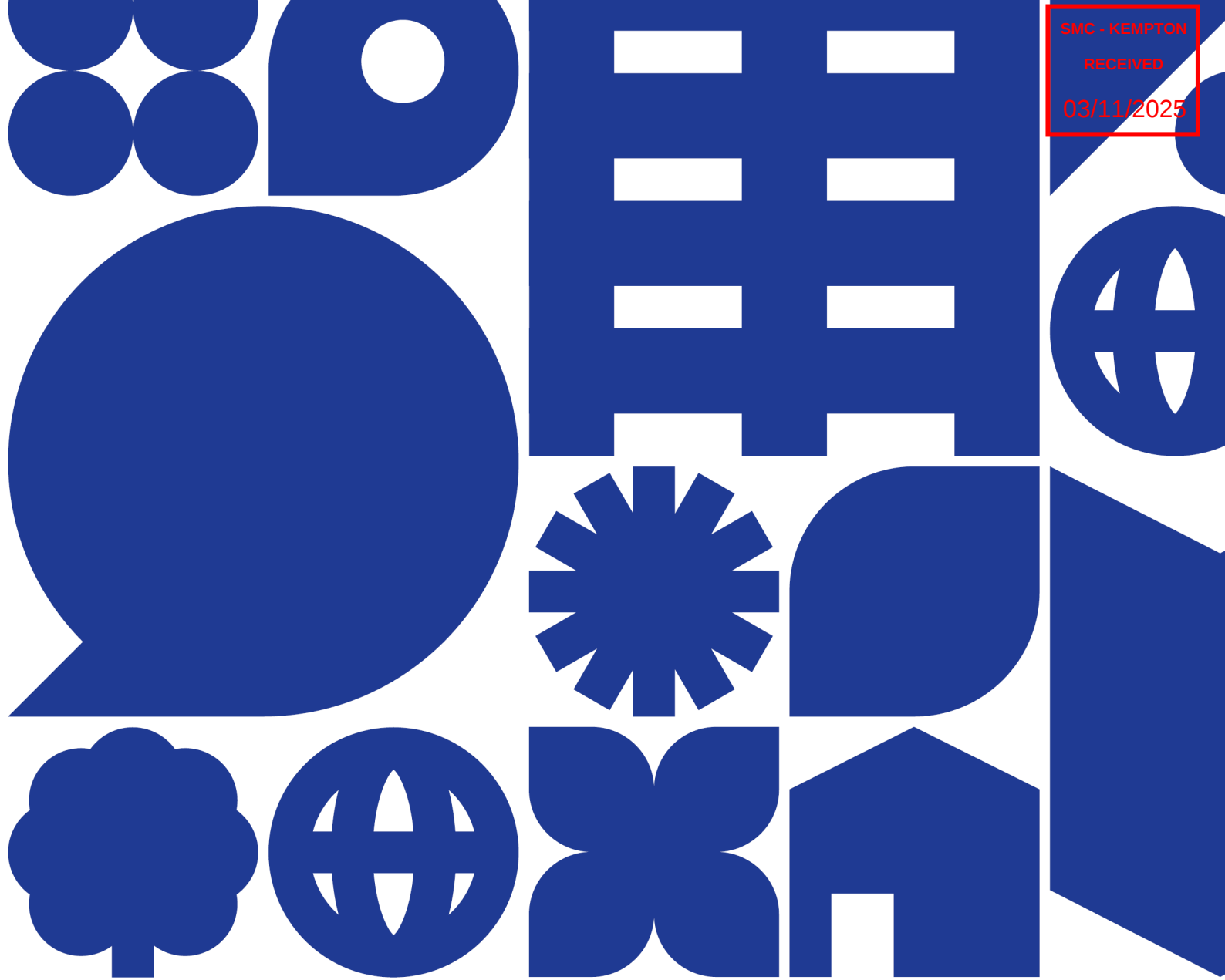
Yours sincerely,



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.

Era Advisory Pty Ltd

ABN 21 681 443 103

Level 1, 125A Elizabeth St Hobart 7000
(03) 6165 0443

enquiries@era-advisory.com.au
era-advisory.com.au

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Client	Department for Education, Children and Young People
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Document version	Final v2
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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	• 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	• 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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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.

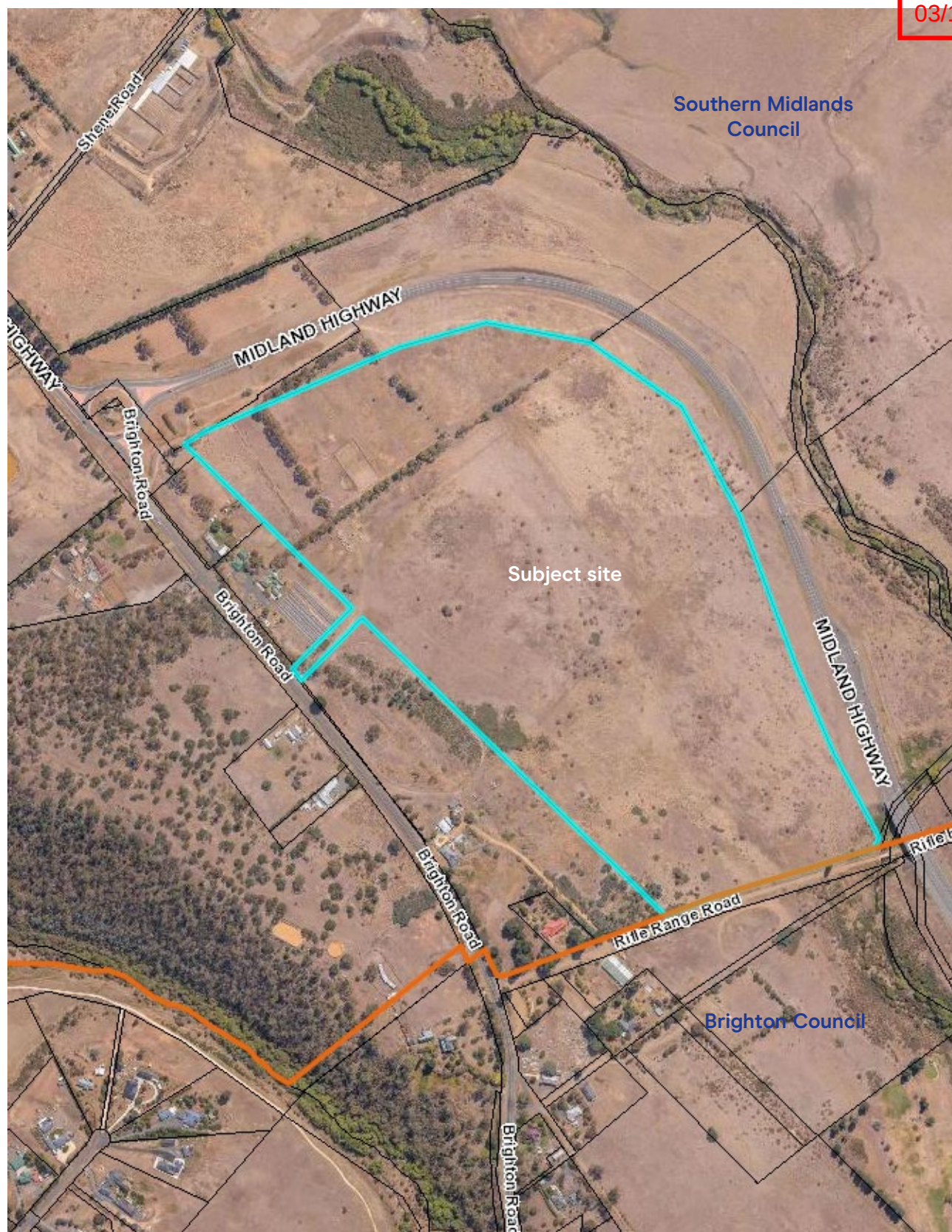


Figure 1 – Local government area boundary between Southern Midlands Council and Brighton Council (shown in orange) in relation to the subject site (shown in blue) (Source: the LIST, 20 October 2025)

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
• 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.	• 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.	• 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	• 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.	• 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

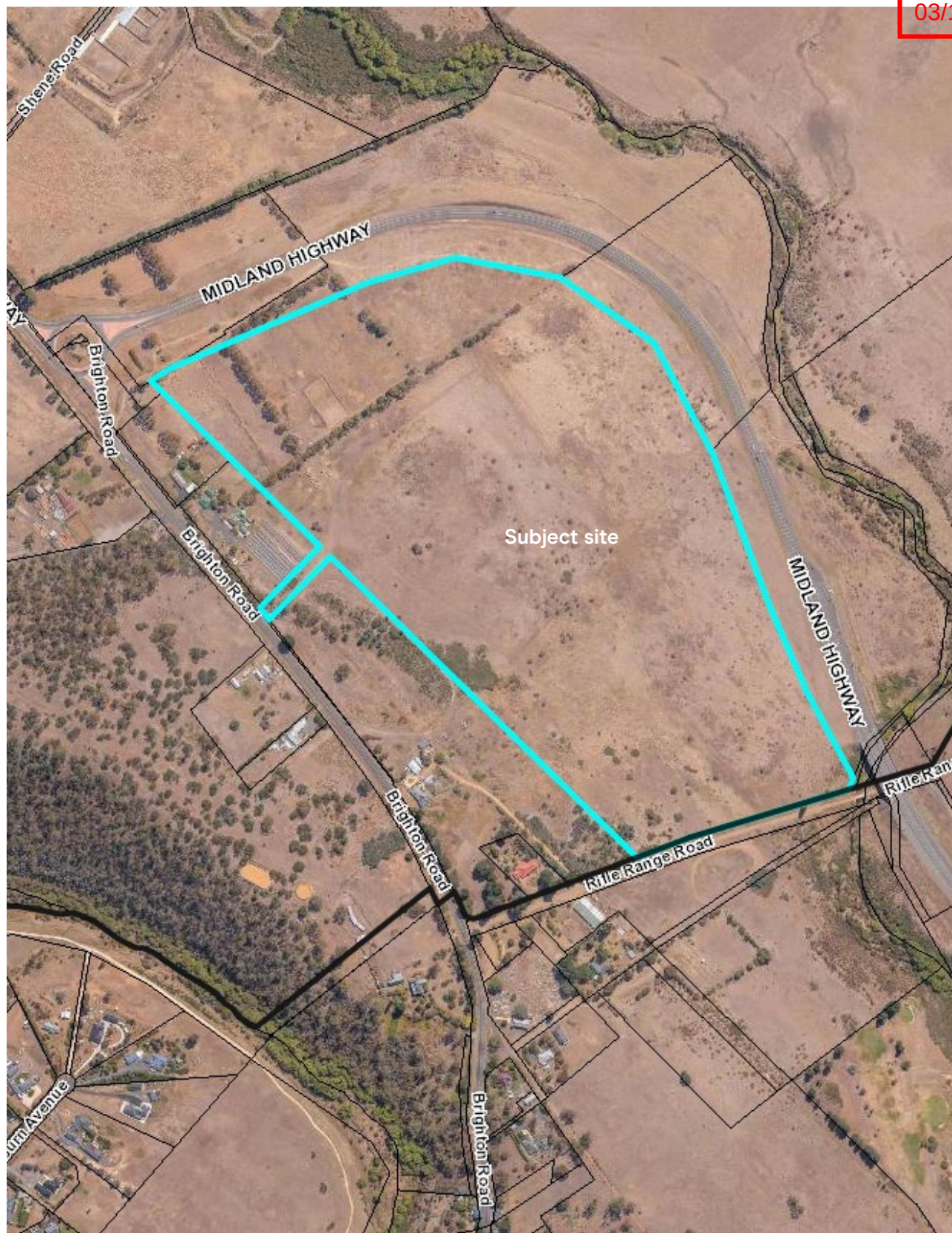


Figure 18 – Aerial image of the subject site, outlined in blue (Source: the LIST, 20 October 2025)

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

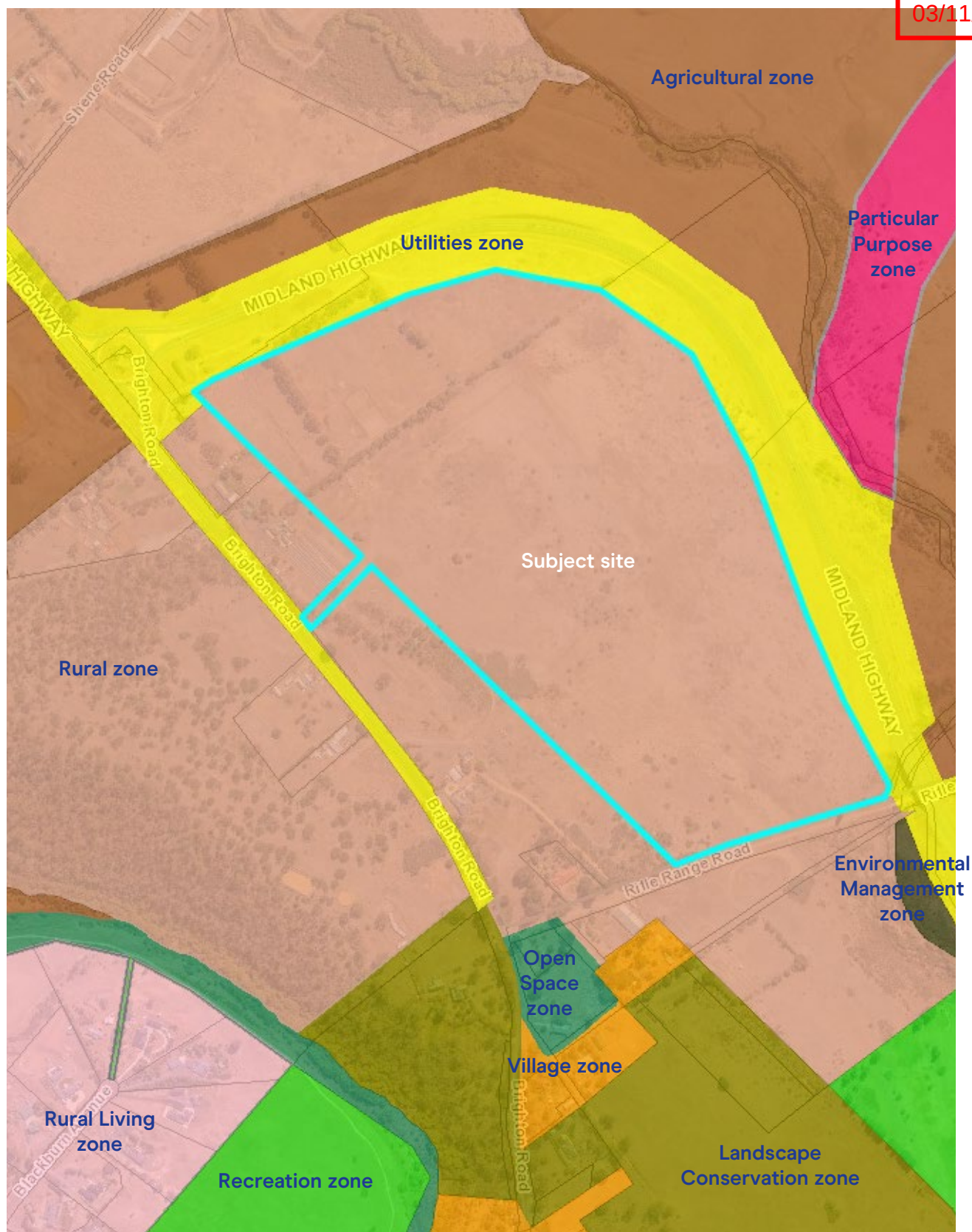


Figure 19 – The subject site, outlined in blue, is zoned Rural, while the surrounding area is subject to a number of different zones (Source: the LIST, 20 October 2025)

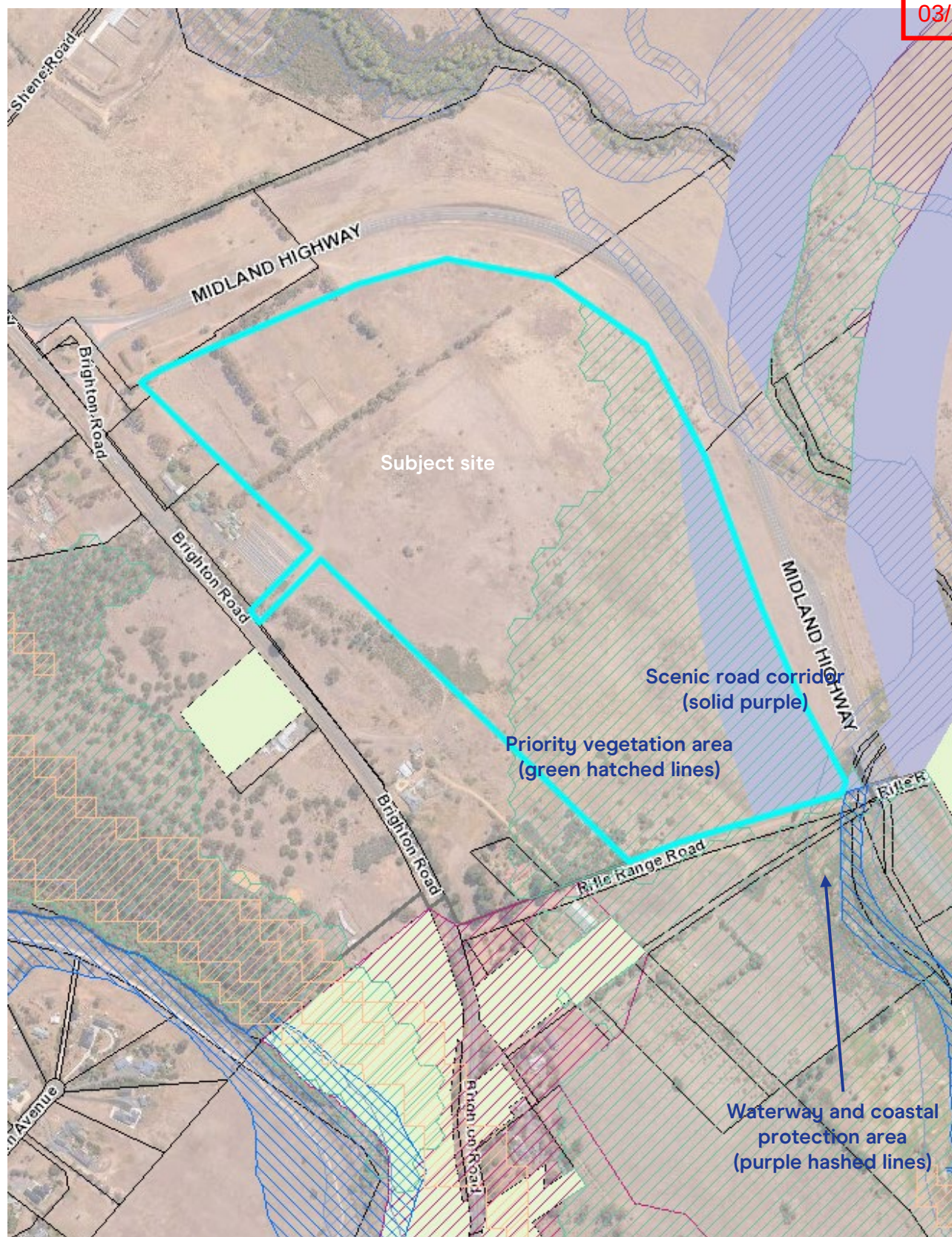


Figure 20 – Overlays relevant to the subject site, outlined in blue, are shown, including the priority vegetation area, scenic road corridor, and waterway and coastal protection area. The site is also in a bushfire-prone area, an overlay that applies to the entire site and is not shown on the above map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

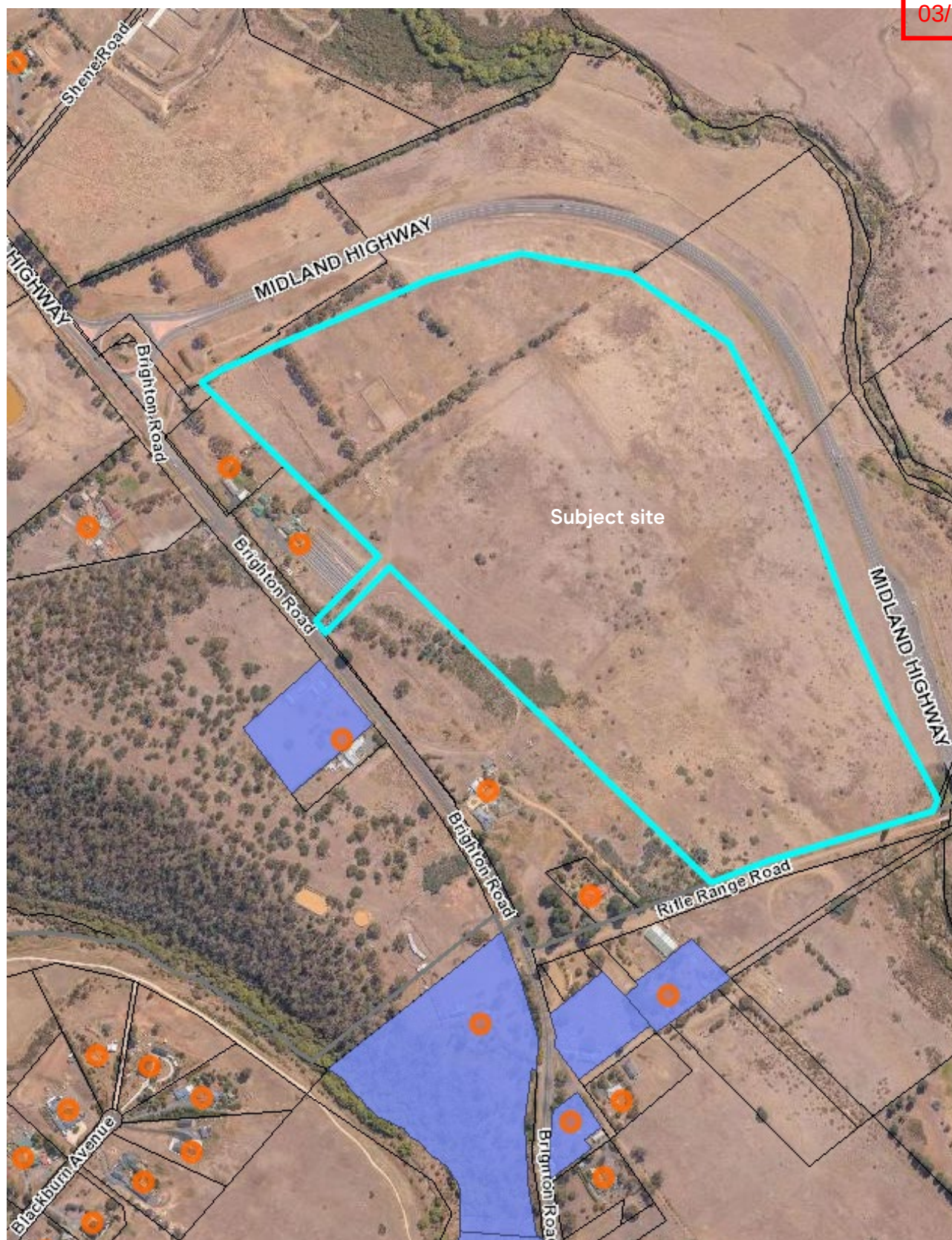


Figure 21 – Aerial image of the subject site (outlined in blue), nearby Tasmanian heritage-listed properties (shown in purple), and nearby residential uses (orange dots) (Source: the LIST, 20 October 2025)

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: (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: (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:

- the location of the proposed use;
- the nature, scale and intensity of the use;
- the likelihood and nature of any adverse impacts on adjoining uses;
- whether the proposed use is required to support a use for security or operational reasons; and
- 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:

- the nature, scale and intensity of the use;

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- (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: (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: (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: (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: (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: (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: (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: (i) roof sign; (ii) sky sign; and (iii) billboard.	P1.1 A sign must: (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: (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: (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: (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
A1 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: (a) the site is subject to a parking plan for the area adopted by council, in which case parking provision (spaces or cash-in-lieu) must be in accordance with that plan; (b) the site is contained within a parking precinct plan and subject to Clause C2.7; (c) the site is subject to Clause C2.5.5; or (d) it relates to an intensification of an existing use or development or a change of use where: (i) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is greater than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case no additional on-site car parking is required; or (ii) the number of on-site car parking spaces for the existing use or development specified in Table C2.1 is less than the number of car parking spaces specified in Table C2.1 for the proposed use or development, in which case on-site car parking must be calculated as follows: $N = A + (C - B)$ N = Number of on-site car parking spaces required A = Number of existing on site car parking spaces B = Number of on-site car parking spaces required for the existing use or development specified in Table C2.1 C = Number of on-site car parking spaces required for the proposed use or development specified in Table C2.1.	P1.1 The number of on-site car parking spaces for uses, excluding dwellings, must meet the reasonable needs of the use, having regard to: (a) the availability of off-street public car parking spaces within reasonable walking distance of the site; (b) the ability of multiple users to share spaces because of: (i) variations in car parking demand over time; or (ii) efficiencies gained by consolidation of car parking spaces; (c) the availability and frequency of public transport within reasonable walking distance of the site; (d) the availability and frequency of other transport alternatives; (e) any site constraints such as existing buildings, slope, drainage, vegetation and landscaping; (f) the availability, accessibility and safety of on-street parking, having regard to the nature of the roads, traffic management and other uses in the vicinity; (g) the effect on streetscape; and (h) any assessment by a suitably qualified person of the actual car parking demand determined having regard to the scale and nature of the use and development. P1.2 The number of car parking spaces for dwellings must meet the reasonable needs of the use, having regard to: (a) the nature and intensity of the use and car parking required; (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: (a) be no less than the number specified in Table C2.4; and (b) if an existing use or development is extended or intensified, the number of on-site motorcycle parking spaces must be based on the proposed extension or intensification, provided the existing number of motorcycle parking spaces is maintained.	P1 Motorcycle parking spaces for all uses must be provided to meet the reasonable needs of the use, having regard to: (a) the nature of the proposed use and development; (b) the topography of the site; (c) the location of existing buildings on the site; (d) any constraints imposed by existing development; and (e) the availability and accessibility of motorcycle parking spaces on the street or in the surrounding area.

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: (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: (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: (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: (a) comply with the following: (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: (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: (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: (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: (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: (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: (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: (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: (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.

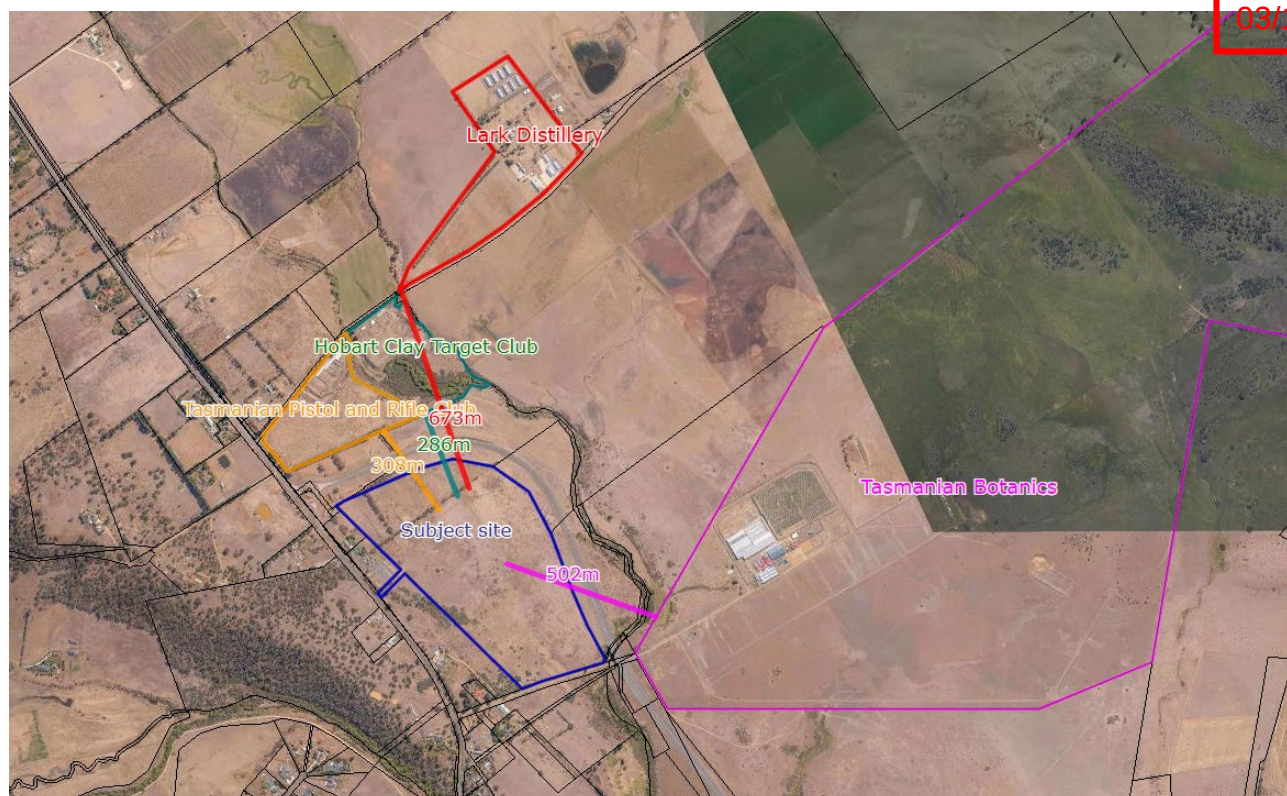


Figure 22 Attenuation distances to the proposal from nearby activities

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
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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: (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: • 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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