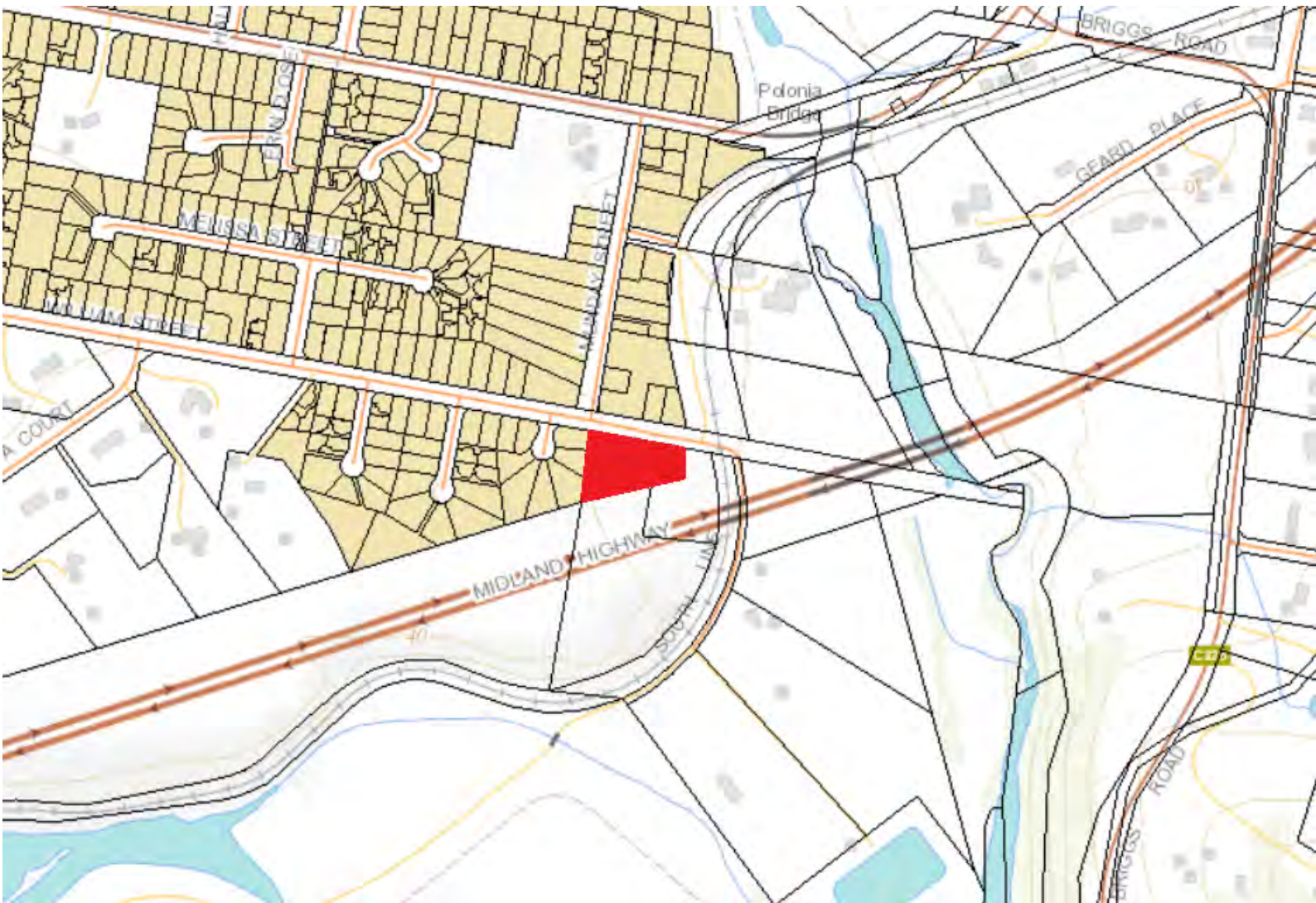


Planning Submission
Housing Land Supply Act
Part of CTs 108441/1 and 78100/1
William Street, Brighton



13 February 2024

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Introduction

The following submission has been prepared by All Urban Planning Pty Ltd for Homes Tasmania in support of a housing land supply order under the *Housing Land Supply Act 2018* (HLSA). The proposed order is to rezone an area of land (the site) on the southern side of William Street, Brighton from Utilities to General Residential under the *Tasmanian Planning Scheme – Brighton Local Provisions Schedule (planning scheme)*.

1. PART 1 – DETAILS OF THE LAND

1.1. Site information

The proposal relates to Crown land managed by the Department of State Growth that lies at the eastern end of William Street, Brighton adjacent to the north of the Midland Highway and to the west of the South Line railway.

Address	Certificate of Title	Site Area	Owner
N/A	108441/1	2.25ha	The Crown (DSG)
N/A	78100/1	6080m ²	The Crown (DSG)

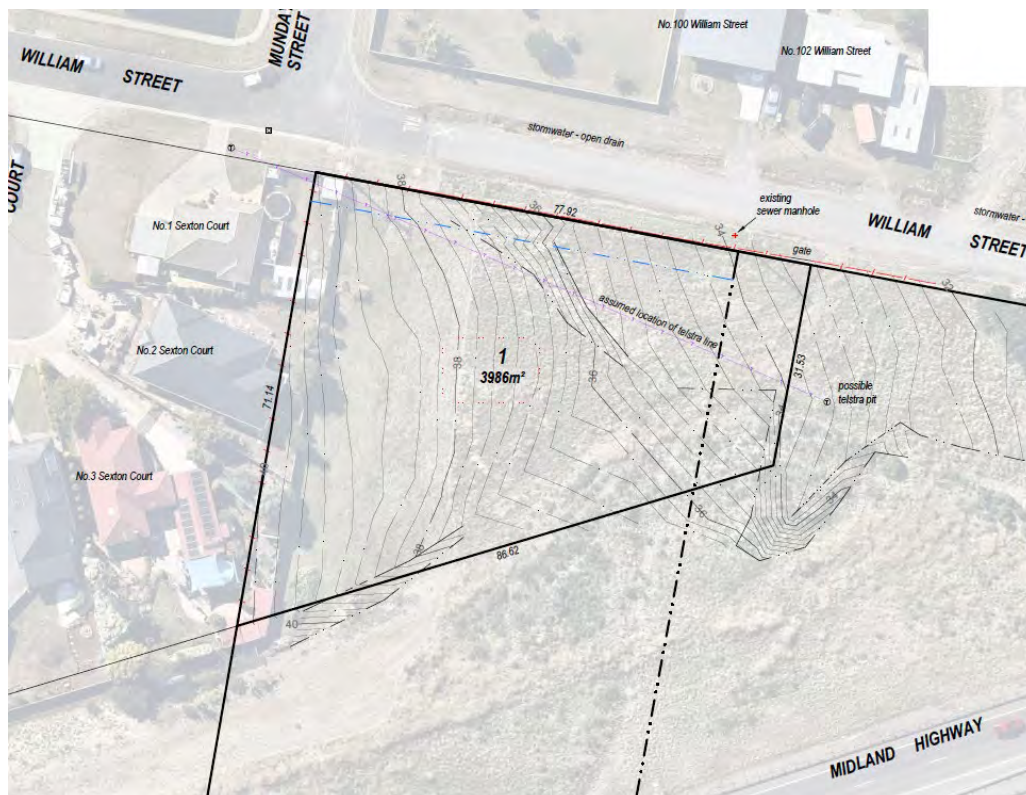


Figure 1 – The land (source: Rogerson & Birch)

The land is located within the municipality of Brighton and is subject to the *Tasmanian Planning Scheme – Brighton Local Provisions Schedule (planning scheme)*.

The site exists as an undeveloped wedge of grass paddock between the eastern end of William Street and the Midland Highway corridor.

The site and the surroundings are described in the plan in Figure 1 and the photos in Figures 2 -4 below.



Figure 2 – View from the bottom (eastern) end of the site looking west. The site occupies land that is above and to the west of the red line. William Street is on the right of picture, the Midland Highway is out of picture to the left and adjacent residential properties of Sexton Court are visible at the top of the grassed area. There is a depression on the centre left of the picture that is also apparent in the contours shown in Figure 1 above and predominantly falls outside the site.



Figure 3 – View from the William Street frontage looking south east. The guardrail of the Midland Highway is visible in the distance and the bridge indicating the South Line railway is visible on the center left of picture.



Figure 4 -View from the north eastern bottom former of the site looking toward the South Line railway line and Midland Highway above.

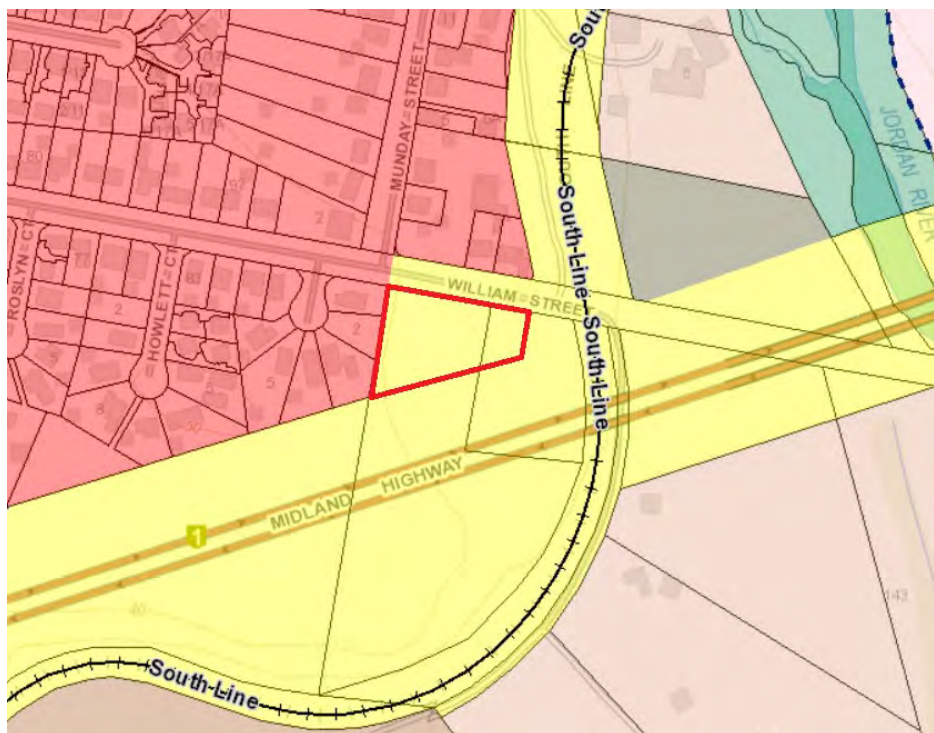


Figure 5 - Existing Zoning (Source: theList)

As shown in Figure 5, the site is currently zoned Utilities. The land adjacent to the west and on the opposite side of William Street is zoned General Residential.

1.2. Description of Housing Land Supply Order

It is proposed that the Minister make a housing supply order under the HLSA:

1. to declare the subject land housing supply land in accordance with Section 4(1); and
2. include an order in accordance with Section 6 to declare the area of land shown in the site plan in Appendix A to be zoned General Residential under the Brighton Local Provisions Schedule.

2. PART 2 – CONSIDERATION OF THE LAND

2.1. Government land (Section 5(1) HLSA)

The land is eligible government land pursuant to Section 5(1) of the Act in that:

- it is government land owned by the Crown and managed by the Department of State Growth; and
- the land was government land on the commencement date of the HLSA 20 July 2018.

And the land is not:

- reserved land under the *Nature Conservation Act 2002*;
- managed under the *National Parks and Reserves Management Act 2002*;
- managed under the *Wellington Park Act 1993*;

- permanent timber production zone land, within the meaning of the *Forest Management Act 2013*;
- future potential production forest land, within the meaning of the *Forestry (Rebuilding the Forest Industry) Act 2014*; or
- owned in fee simple by the body corporate continued under section 4 of the *Tasmanian Development Act 1983*.

And not more than 5 years has elapsed since the commencement day of the Act, 20 July 2018.

2.2. Need for the land (Sections 5(2)a) HLSA)

Consistent with the Purpose under s.2(a) of the Homes Act 1935 there is a need for the land to be made available to enable the provision of housing assistance to eligible persons.

As at 31 December 2023, there were 260 applicants (5.5 per cent) on the Housing Register seeking accommodation in the Brighton LGA as their first preference. There is a projected need for 2,468 dwellings in Brighton based on previous 2022 Treasury population projections and modelling for the Tasmanian Housing Strategy, ranking Brighton in the top ten LGAs in Tasmania with greatest housing need for social and affordable housing.

It is intended that the land will be developed to provide new social and affordable housing outcomes. This will include new home ownership opportunities consistent with the Tasmanian Housing Strategy 2023-2043 and Tasmanian Housing Action Plan 2023-2027.

2.3. Suitability of the land (Section 5(2)b) HLSA)

The land fulfills the requirements of ss.5(2)(b) of the HLSA in that it is located in close proximity to commercial and employment services of Brighton and Greater Hobart more broadly as shown in Figure 6 including the following:

- 1.1km to the Brighton township to the west
- 2.5km to the Brighton Industrial Estate to the south west
- 5.5km to Cove Hill and Green Point commercial and community facilities
- 5.5km to Bridgewater
- 18km to Boyer paper mill
- 16km to Glenorchy CBD
- 28km to Hobart CBD

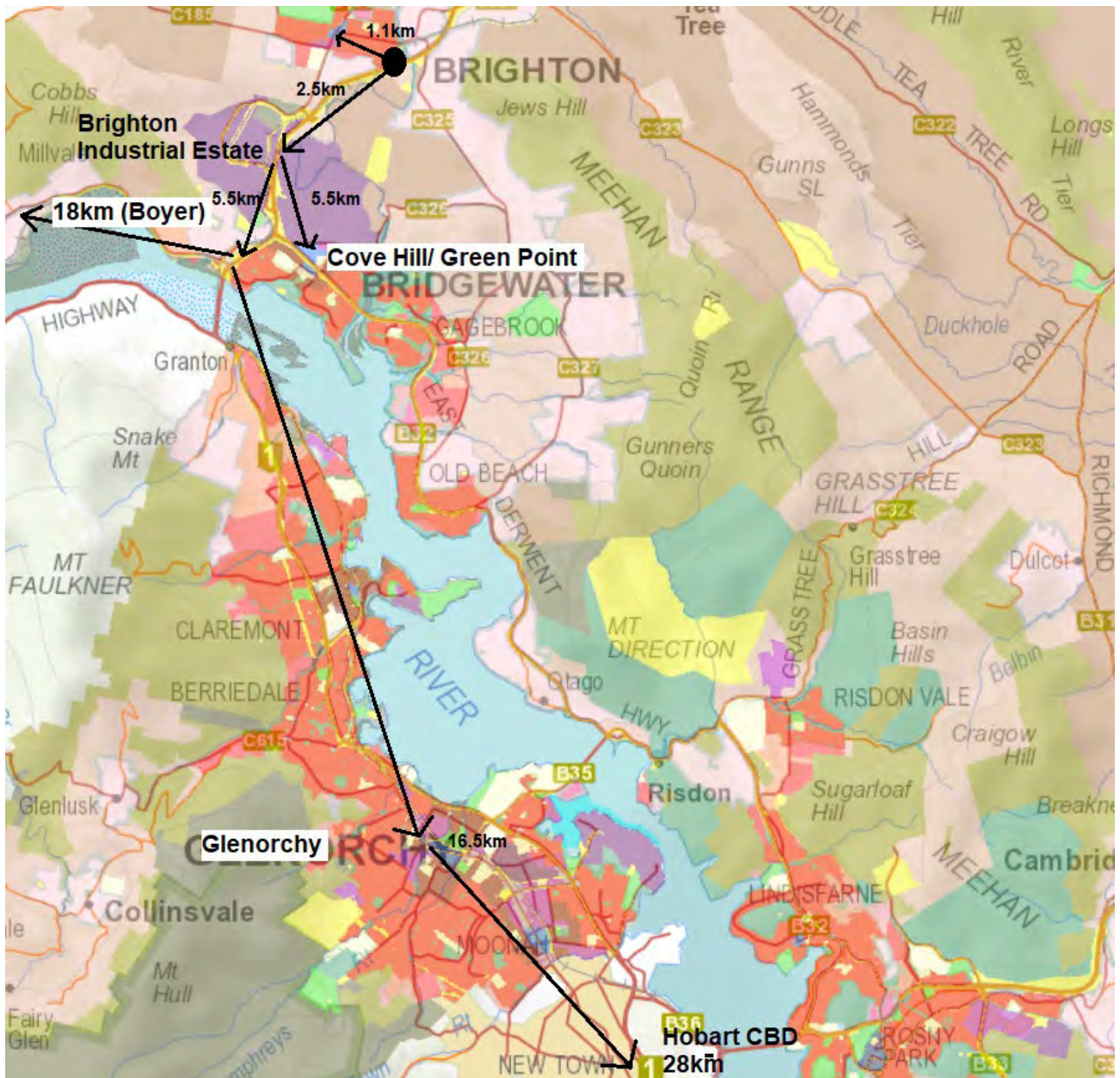


Figure 6 - Proximity to Commercial and Employment Services

2.4. Accessibility to Public Transport (Section 5(2)b) HLSA)

The Metro, public transport bus route 521 passes the site via Munday Street and William Street. Bus stop Nos. 22 on Munday Street and 71 and 74 on William Street are both within approximately 250m of the site and provide convenient transport to the Brighton township and then the Greater Hobart Metro network. See Figure 7 below.

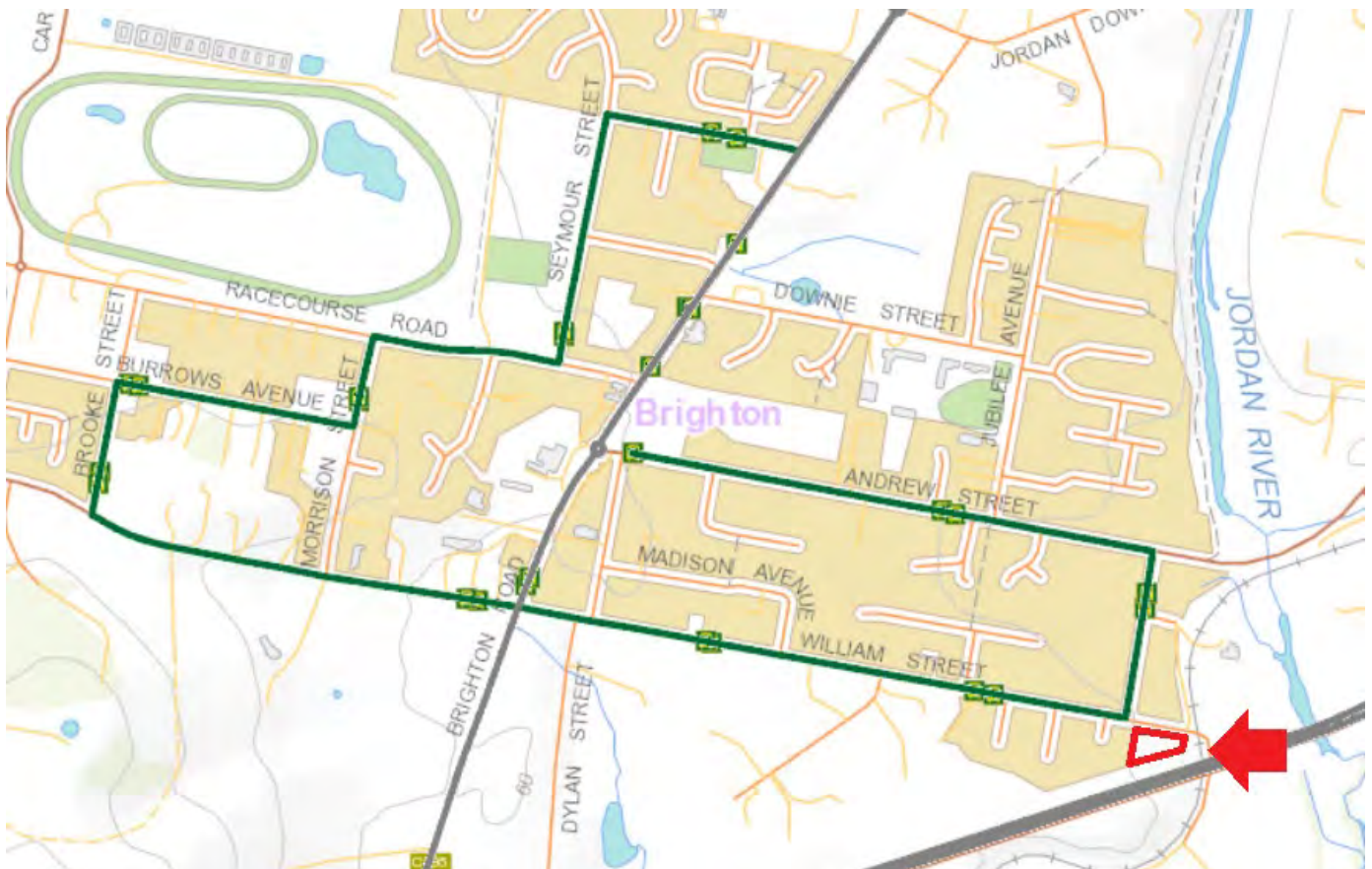


Figure 7 - The site is located on Metro bus routes 530, 560 and 561 (Source: theList)

2.5. Owners Consent (Section 5(3) & (4) HLSA)

The submission is accompanied by the following consents in Appendix D:

- Secretary for the Department State Growth; and
- Minister for Crown Land

Consent from the Director of Housing also accompanies the submission in Appendix D.

2.6. The proposal is consistent with State Policies and the Southern Tasmania Regional Land Use Strategy (Section 6(1)a) HLSA)

The proposed zoning is considered consistent with State Policies and the relevant Regional Land Use Strategy as set out in the following sections:

2.6.1. State Policies

The following State Policies are made under the State Policies and Projects Act 1993:

- State Policy on the Protection of Agricultural Land 2009;
- State Policy on Water Quality Management 1997; and
- Tasmanian State Coastal Policy 1996.

The National Environmental Protection Measures are automatically adopted as State Policies under the State Policies and Projects Act 1993.

The following section examines the State Policies as they apply to this proposal.

2.6.2. State Policy on the Protection of Agricultural Land 2009

The purpose of the State Policy on the Protection of Agricultural Land 2009 is:

“to conserve and protect agricultural land so that it remains available for the sustainable development of agriculture, recognising the particular importance of prime agricultural land”.

Comment

The proposal relates to a small (approximately 4ha) parcel of Class 4 land that is adjacent to residential use and development. The land is isolated from other agricultural areas by the Midland Highway and South Line railway. Having regard to these factors, the land is not well suited to agricultural use and the proposal therefore will not result in the loss of prime or significant agricultural land.

2.6.3. State Coastal Policy 1996

The State Coastal Policy 1996 is created under the State Policies and Projects Act 1993.

Comment

This Policy does not apply to this land that is located approximately 3.5km from the shore of the River Derwent to the south near the tidal waters of the Jordan River and therefore outside the coastal zone.

2.6.4. State Policy on Water Quality Management 1997

The State Policy on Water Quality Management is concerned with achieving ‘sustainable management of Tasmania’s surface water and groundwater resources by protecting or enhancing their qualities while allowing for sustainable development in accordance with the objectives of Tasmania’s Resource management and Planning System’.

Comment

The zoning will allow for suitable stormwater treatment to be incorporated in future development as required by the Planning Scheme and Urban Drainage Act 2013. Such measures will ensure the long term quality of stormwater runoff is efficiently managed to protect water quality consistent with this Policy.

2.6.5. National Environment Protection Measures

The National Environmental Protection Measures relate to:

- Ambient air quality;
- Ambient marine, estuarine and fresh water quality;
- The protection of amenity in relation to noise;
- General guidelines for assessment of site contamination;
- Environmental impacts associated with hazardous wastes; and
- The re-use and recycling of used materials.

Comment

Other than consideration of the potential for noise as discussed below, the listed NEPMs do not raise specific matters that are relevant to the proposed zoning.

The protection of amenity in relation to noise

The land is located adjacent to the Midland Highway which is a Category 1 State Road with a speed limit of 110km per hour and the South Line railway. It is therefore within a *road or railway attenuation area* as defined under Clause C3.3 of the State Planning Provisions (SPPs).

Future development on the land for residential use will be subject to consideration under Clause C3.6.1 of the Road and Railway Assets Code of the SPPs and in particular Clause C3.6.1 *Habitable buildings for sensitive uses within a road or railway attenuation area*. It is likely that future development on the land would satisfy Acceptable Solution A1a) of this standard as a continuation of the row of residential buildings along the Midland Highway and the South Line railway. As shown in Figure 8 below the row of existing dwellings to the west have a consistent setback of approximately 60m from the gravel shoulder of the Midland Highway. There is also a row of existing houses to the north that are setback approximately 30m from the rail line. The land to be rezoned is approximately 40m from the rail corridor and 50m from the rail line alignment.



Figure 8 - Setback of existing row of residential buildings from Midland Highway

Tasmanian Planning Policies

There are no relevant Tasmanian Planning Policies.

Southern Tasmania Regional Land Use Strategy

The Southern Tasmanian Regional Land Use Strategy 2010-2035 (STRLUS) addresses the relevant issues in regard to the need for new residential growth and infill across the region as well as the provision of high quality social and community facilities to meet the education, health care and needs of the community. The proposal is considered consistent with the key regional policies that deal with these matters as follows:

Urban Growth Boundary

The land is adjacent but outside the Urban Growth Boundary (UGB) shown on Map 10 of the STRLUS as shown in Figure 9 below.



Figure 9 - Urban Growth Boundary, Attachment 1 - Map 10: Large Scale, Residential Strategy for Greater Hobart, STRLUS

SRD 2.12 of STRLUS allows that in circumstances such as this where a small area of land shares a boundary with land zoned for urban development within the UGB. It states:

SRD 2.12 *Notwithstanding SRD 2.2 and SRD 2.8, and having regard to the strategic intent of the Urban Growth Boundary under SRD 2 to manage and contain growth across greater Hobart, land outside the Urban Growth Boundary shown in Map 10 may be considered for urban development if it:*

(a) shares a common boundary with land zoned for urban development within the Urban Growth Boundary and:

- i. only provides for a small and logical extension, in the context of the immediate area, to land zoned for urban development beyond the Urban Growth Boundary; or*
- ii. does not constitute a significant increase in land zoned for urban development in the context of the suburb, or the major or minor satellite as identified in Table 3, and is identified in a contemporary settlement strategy or structure plan produced or endorsed by the relevant planning authority; and*
- (b) can be supplied with reticulated water, sewerage and stormwater services; and*
- (c) can be accommodated by the existing transport system, does not reduce the level of service of the existing road network, and would provide for an efficient and connected extension of existing passenger and active transport services and networks; and*
- (d) results in minimal potential for land use conflicts with adjoining uses.*

The proposal is considered consistent with this Regional Policy in that:

- It shares a common boundary with land zoned General Residential within the Urban Growth Boundary.
- Its size is approximately 0.4ha with the potential for up to 12 dwellings (at a rate of 1 dwelling per 325m²).
- It will not constitute a significant increase in land zoned for urban development outside the UGB at Brighton as shown in Figure 9 above
- The land can be supplied with water, sewer and stormwater services
- The land has direct access to local roads from William Street and will have convenient access to bus routes as discussed in section 2.4
- As discussed in relation to matters of noise in section 2.6.5, the proposal is considered likely to comply with the noise attenuation provisions of the Road and Railway Assets Code of the planning scheme in relation to setback from the Midland Highway and South Line railway
- The land otherwise adjoins residential use and development and the proposal is considered likely to result in minimal potential for land use conflict with adjoining uses.

The Dwelling Yield Analysis that underpinned the STRLUS investigated the potential dwelling yields of existing residentially zoned land for the Greater Hobart area. The Demographic Change Advisory Council and the Residential Advisory Council of Australia indicated that over the next 25 years, an additional 30,000 houses will be required in the Greater Hobart area due to population growth. This analysis provided an indication of the capacity of the existing zoned areas to meet the required additional dwellings.

The STRLUS includes a range of policies to manage residential growth for Greater Hobart through 50% infill development and 50% greenfield development to ensure that land is released and developed to make best use of available infrastructure and at efficient densities.

The proposed rezoning would further the objective to provide for controlled greenfield development on unconstrained land. It will also support the supply of affordable housing consistent with the Regional Settlement Strategy and in particular Regional Policies, SRD1.1, SRD 2.1, SRD 2.7, SRD 2.11 and SRD 2.12 of STRLUS.

Social Infrastructure

The site is in close proximity to the community services of Brighton within approximately 1km of the site.

2.7. The site is not significantly restricted by any code that applies to the land –(Section 6(1)b HLSA)

The site of the proposed zoning is not subject to any code overlay under the planning scheme. As discussed in section 2.6.5 above future development on the site is likely to be able to comply with the Acceptable Solution for sensitive uses within a road and rail attenuation area under Clause C3.6.1, A1a of the Road and Railway Assets Code of the SPPs.

The preliminary bushfire assessment and advice prepared by Rogerson and Birch and provided as Appendix B confirms that the site is serviced by reticulated water and two nearby fire hydrants and will be able to accommodate building areas of BAL 19. Having regard to this preliminary advice it is considered that future subdivision of the land will be able to satisfy the requirements of the Bushfire-Prone Areas Code of the SPPs.

2.8. The Intended zoning would further the objectives of Schedule 1 of LUPAA (Section 6(1)c HLSA)

The proposed zoning is considered to further the objectives of Schedule 1 of the Act as follows:

Part 1 Objectives

(a) To promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity;

Comment

The proposal promotes the objectives for sustainable development of land through allowing for the efficient use of serviced land for residential use and development directly adjacent to the Urban Growth Boundary under the Regional Strategy. The site relates to a cleared grass area and will not require vegetation clearing or impact on ecological processes. It is considered to further this Objective.

(b) To provide for the fair, orderly and sustainable use and development of air, land and water;

Comment

The proposal for greenfield development to support affordable housing outcomes on this underutilised site is considered fair, orderly and sustainable use and development and will further this objective.

(c) To encourage public involvement in resource management and planning;

Comment

Consideration of the proposal will involve notice to interested persons and the right to make submissions for consideration by the Minister before the proposed order is laid before both Houses of Parliament. The proposal will encourage public involvement consistent with the processes set out under the HLSA and will further this objective.

(d) To facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c) above.

Comment

As stated above, the proposal represents consolidated urban development with access to existing road, reticulated and community infrastructure. It avoids sensitive environmental areas and will facilitate affordable housing and economic development outcomes. Rezoning of the land for residential purposes allows for economic development including the construction phase of site development and by providing affordable housing options. For these reasons the proposal is considered to further this Objective.

(e) To promote sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.

Comment

The proposal will be referred to interested persons for comment including Council, TasWater, TasRail, Aboriginal Heritage Tasmania and as well as the Heads of relevant Agencies as required by s.11 of the HLSA. The proposal is considered to further this Objective.

2.8.1. Schedule 1 Part 2

(a) To require sound strategic planning and co-ordinated action by State and local Government;

Comment

As demonstrated throughout this assessment the proposal is consistent with the STRLUS and represents sound strategic planning that will further this Objective.

(b) To establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land;

Comment

The proposal will apply a new zone under the planning scheme that will set the objectives, policies and controls for the site consistent with this Objective.

(c) To ensure the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land;

Comment

The proposal is considered to further this Objective in that it relates to cleared land that will avoid significant environmental values. It will also contribute to broader social, environmental and economic benefits as a result of the proposed efficient use of underutilised serviced.

(d) To require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional, and municipal levels;

Comment

As discussed above the proposal will further strategic planning policies and is consistent with this Objective.

(e) To provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals;

Comment

The proposal does not conflict with this objective.

(f) To secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania;

Comment

The proposal will assist in the provision of a diversity of affordable housing outcomes within close proximity to surrounding services. It furthers this objective.

(g) To conserve those buildings, areas or other places which are of scientific, aesthetics, architectural or historical interest, or otherwise of special cultural value;

Comment

The proposal is accompanied (Appendix C) by an Aboriginal Heritage Assessment prepared by CHMA that includes the results of test pitting. No Aboriginal artefacts, cultural deposits, or suspected archaeological/cultural features were identified. CHMA advise that:

- these negative results provide a very strong indication that Aboriginal artefacts are either absent across the study area, or present in very low densities
- there is no indication that artefacts or other cultural features associated with nearby registered sites AH11810 or AH10757 extend into the study area.

There are no listed historic or cultural values on the site that would be affected by the proposal.

(h) To protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;

Comment

The land is within an existing serviced area and will be referred to TasWater for comment pursuant to Section 11(c) of the HLSA. Consultation with the Department of State Growth has confirmed that the land is not required as part of the road network. The proposal will further affordable housing outcomes for the benefit of the community consistent with this Objective.

(i) To provide a planning framework which fully considers land capability;

Comment

The proposal relates to land adjacent to an established residential area and severed from surrounding agricultural land by the Midland Highway and South Line railway. Other than a Bushfire-Prone Area as discussed below, the land is not subject to any mapped hazard overlays under the planning scheme.

It is considered appropriate for future residential use and development subject to the normal planning scheme considerations of the General Residential Zone and the provisions of the relevant Codes of the planning scheme.

2.9. The proposed zoning is consistent with the Purpose of the General Residential Zone and the section 8A guidelines of the Land Use Planning and Approvals Act (Section 6(1)d HLSA)

The proposal to rezone the land to General Residential is consistent with the Purpose of the General Residential Zone in that:

- *To provide for residential use or development that accommodates a range of dwelling types where full infrastructure services are available or can be provided.*
- *To provide for the efficient utilisation of available social, transport and other service infrastructure.*
- *To provide for non-residential use that:*
 - *primarily serves the local community; and*
 - *does not cause an unreasonable loss of amenity through scale, intensity, noise, activity outside of business hours, traffic generation and movement, or other off site impacts.*
- *To provide for Visitor Accommodation that is compatible with residential character.*

The proposal is assessed against the Section 8A Zone Application Guidelines of the Local Provisions Schedule of the Tasmanian Planning Scheme as follows:

GRZ 1 The General Residential Zone should be applied to the main urban residential areas within each municipal area which:

(a) are not targeted for higher densities (see Inner Residential Zone); and

(b) are connected, or intended to be connected, to a reticulated water supply service and a reticulated sewerage system.

Assessment

Reticulated water, sewer and storm water services are available to the site.

GRZ 2 The General Residential Zone may be applied to green-field, brown-field or grey-field areas that have been identified for future urban residential use and development if:

(a) within the General Residential Zone in an interim planning scheme;

(b) within an equivalent zone under a section 29 planning scheme; or

(c) justified in accordance with the relevant regional land use strategy, or supported by more detailed local strategic analysis consistent with the relevant regional land use strategy and endorsed by the relevant council; and

(d) is currently connected, or the intention is for the future lots to be connected, to a reticulated water supply service and a reticulated sewerage system,

Assessment

The existing vacant land zoned Utilities is surplus to the needs of the transport network. In its undeveloped state it is best described as a greenfield site under the STRLUS meaning: *former agricultural or undeveloped natural land on the periphery of towns and cities that has been identified for urban development.*¹

¹ Glossary, P102 of the Southern Tasmania Regional Land Use Strategy 2010-2035.

The proposal will provide for residential development and an increased supply of affordable housing consistent with the Regional Settlement Strategy and in particular Regional Policies, SRD1.1, SRD 2.1, SRD 2.7, SRD 2.11 and SRD 2.12 of STRLUS.

GRZ 3 The General Residential Zone should not be applied to land that is highly constrained by hazards, natural values (i.e. threatened vegetation communities) or other impediments to developing the land consistent with the zone purpose of the General Residential Zone, except where those issues have been taken into account and appropriate management put into place during the rezoning process

Assessment

Reticulated water and sewer are available to service the site. As discussed above, the proposal is accompanied by a preliminary bushfire hazard assessment that indicates that the requirements of the Bushfire-Prone Areas Code are likely to be able to be met for future subdivision. The site is not subject to any other mapped hazard or natural value overlays under the planning scheme.

2.10. Consideration of any environmental, economic and social impacts (Section 6(1)e) HLSA)

The intended General Residential Zone would not prevent consideration of environmental impacts on the land as required under the Planning Scheme.

The rezoning of the land will allow for residential development which would facilitate affordable housing and associated economic development including an increase in housing stock.

Positive social impacts from the proposal include an increase in the supply of affordable residential land, which contributes to avoiding homelessness and housing stress. The General Residential Zone includes high standards of development and residential amenity.

The proposal will further objectives for urban consolidation and affordable housing that will contribute to broader social, environmental and economic benefits consistent with this requirement.

2.11. Consideration of the effect on Aboriginal and cultural heritage (Section 6(1)e) HLSA)

The proposal is accompanied by an Aboriginal Heritage Assessment (Appendix C) that concludes that no Aboriginal artefacts, cultural deposits, or suspected archaeological/cultural features were identified through a Phase 1 test pitting program. CHMA advise that these negative results provide a very strong indication that Aboriginal artefacts are either absent across the study area, or present in very low densities. CHMA have provided their report to Aboriginal Heritage Tasmania.

The proposal will be referred to Aboriginal Heritage Council for comment pursuant to ss.11(g) of the HLSA.

2.12. Consideration of land use conflict on the site and on land adjacent to the site (Section 6(1)f) HLSA)

The proposed rezoning is consistent with the existing General Residential zoning adjoining the site to the north and west.

There are no industrial or other uses with the potential to cause environmental harm in the vicinity of the site.

The site is adjacent to the Midland Highway and South Line railway. As discussed above in section 2.6.5 future residential use on the site is likely to comply with the Acceptable Solutions of the Road

and Railway Assets Code confirming that any potential noise impacts from passing traffic and railway noise will be acceptable.

2.13. Dwelling and lot density conformity to suburban density (Section 6(2)a HLSA)

The proposal will apply the provisions for the General Residential Zone under the State Planning Provisions.

2.14. Other zones intended for the site (Section 6(2)b HLSA)

The circumstances of this land do not require the application of any other complimentary zones. It is considered appropriate that the General Residential Zone apply across the full extent of the land and that the Utilities Zone remain for the balance land.

2.15. Modified planning provisions (Section 7(1) & (2) HLSA)

It is not considered that the circumstances of this land warrant modification of a relevant housing provision.

2.16. Consultation with interested persons(Section 10 HLSA)

Interested persons (s.10 - s.12)

The interested persons in the case of this land are considered to be:

- Brighton Council
- Heads of Agency that have an interest in whether or the manner in which the land ought be used and or developed including the Department of State Growth;
- TasWater;
- Tas Networks;
- TasRail;
- the owners and occupiers of the residential properties at 100 and 102 William Street, 1,2,3,4,5,6 and 7 Sexton Court and 2 and 3 Munday Street, Brighton
- Tasmania Fire Service;
- Tasmanian Heritage Council;
- Aboriginal Heritage Council

Contact details of the suggested interested persons are provided in Appendix E.

Appendix A

Site Plan

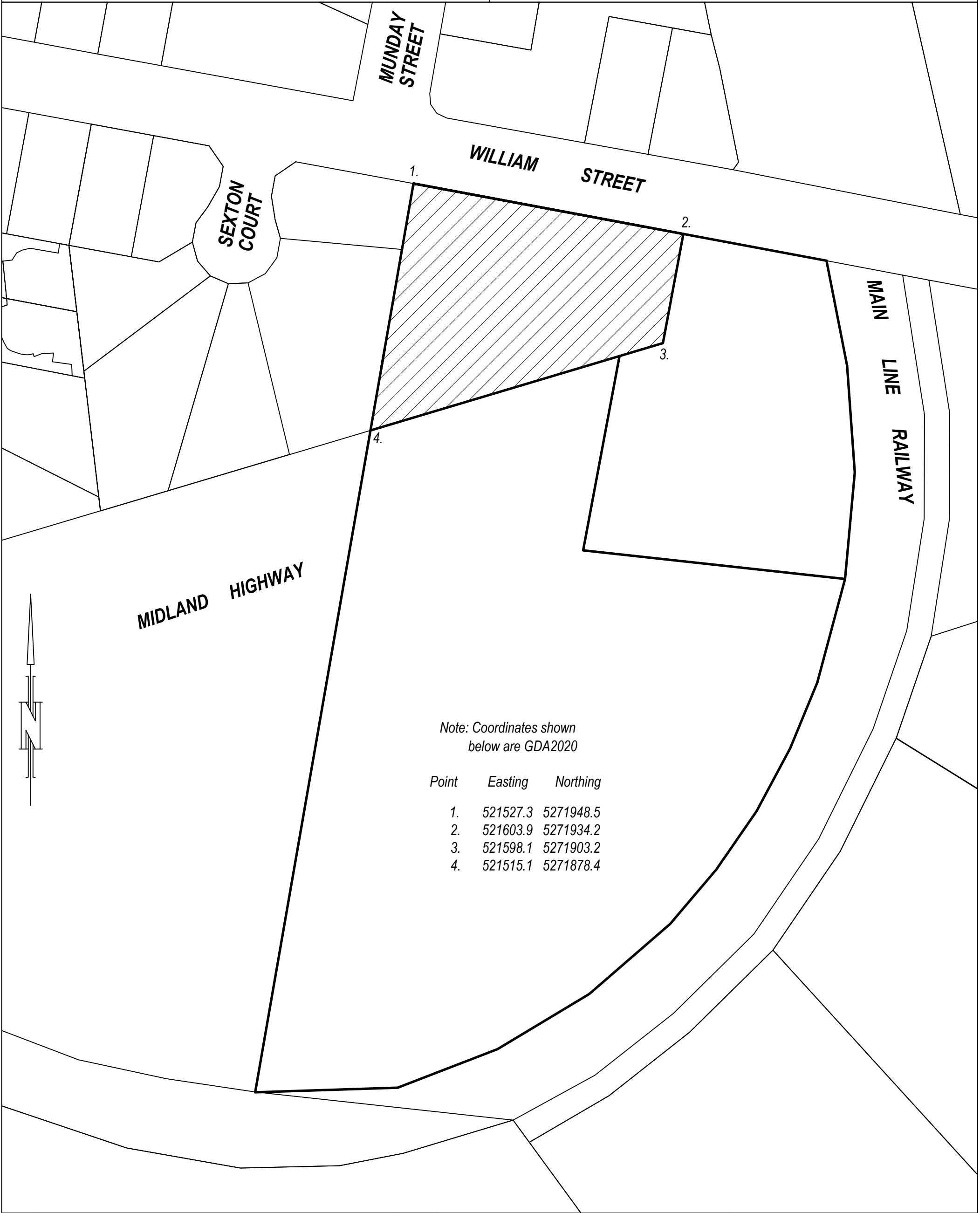


UNIT 1, 2 KENNEDY DRIVE
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This plan has been prepared only for the purpose of obtaining preliminary
subdivisional approval from the local authority and is subject to that approval.

All measurements and areas are subject to the final survey.

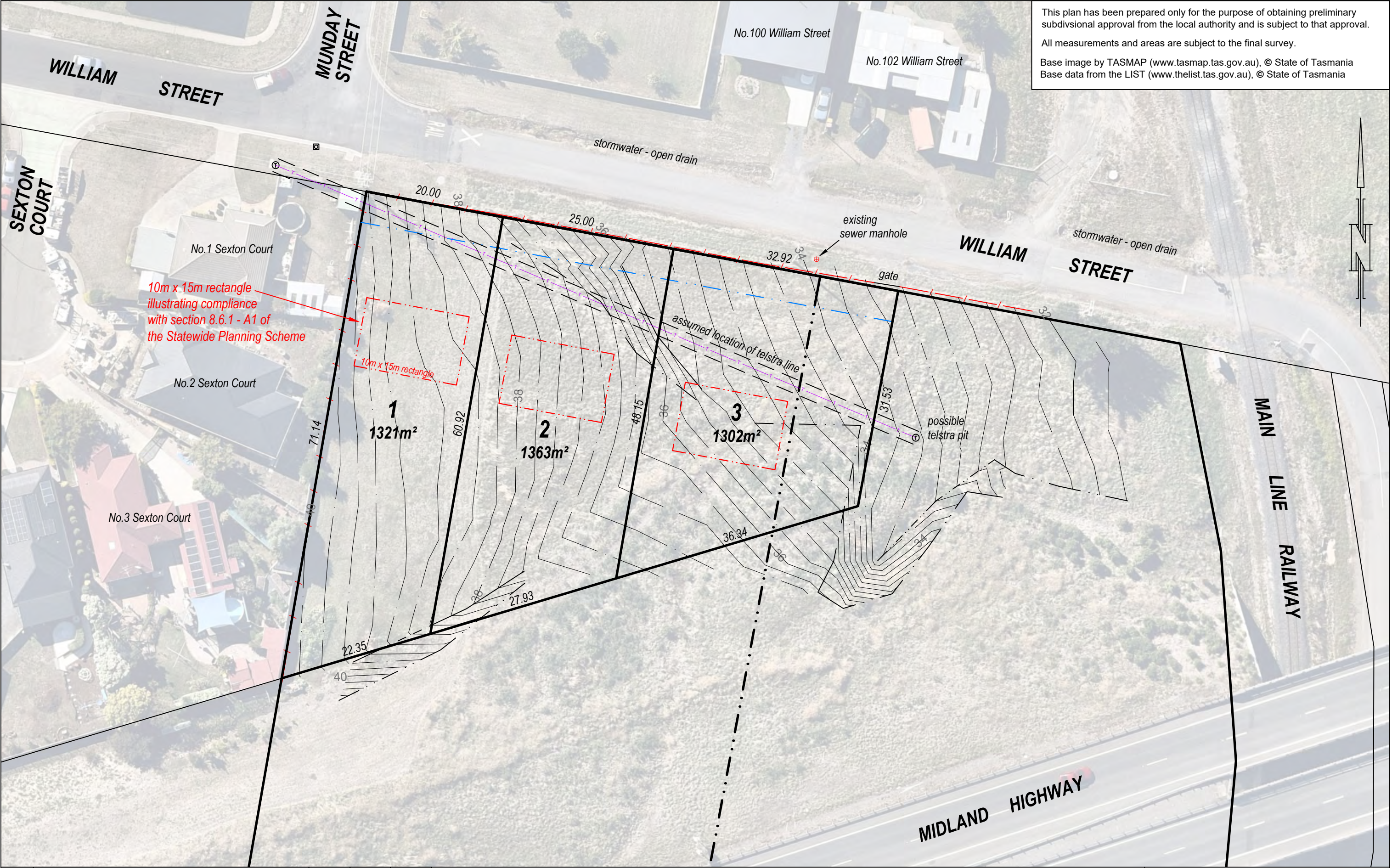
Base image by TASMAP (www.tasmap.tas.gov.au), © State of Tasmania
Base data from the LIST (www.thelist.tas.gov.au), © State of Tasmania



Note: Coordinates shown
below are GDA2020

Point	Easting	Northing
1.	521527.3	5271948.5
2.	521603.9	5271934.2
3.	521598.1	5271903.2
4.	521515.1	5271878.4

E					OWNER:	The Crown	Proposed Subdivision	
D					TITLE REFERENCE:	C.T.108441/1 & C.T.78100/1		
C					LOCATION:	William Street (near Sexton Court)	Date:	16-11-2021
B							Reference:	COTAS03 13751-00
A							Scale:	1:500 (A3)
REV	AMENDMENTS	DRAWN	DATE	APPR.		BRIGHTON	Municipality:	Glenorchy



This plan has been prepared only for the purpose of obtaining preliminary subdivisional approval from the local authority and is subject to that approval.

All measurements and areas are subject to the final survey.

Base image by TASMAP (www.tasmap.tas.gov.au), © State of Tasmania

Base data from the LIST (www.thelist.tas.gov.au), © State of Tasmania

E				
D				
C				
B	possible lot layout	AB	18-11-21	AB
A	lot 1 extents modified	AB	15-11-21	AB
REV	AMENDMENTS	DRAWN	DATE	APPR.



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WEB: www.rbsurveyors.com

OWNER: The Crown
TITLE REFERENCE: C.T.108441/1 & C.T.78100/1
LOCATION: William Street (near Sexton Court)
BRIGHTON

Proposed Subdivision

Date:	18-11-2021	Reference:	COTAS03 13751-00
Scale:	1:500 (A3)	Municipality:	Glenorchy

SEARCH OF TORRENS TITLE

VOLUME 108441	FOLIO 1
EDITION 2	DATE OF ISSUE 20-May-1999

SEARCH DATE : 25-Feb-2022

SEARCH TIME : 11.14 AM

DESCRIPTION OF LAND

Parish of MELVILLE, Land District of MONMOUTH
Lot 1 on Diagram 108441
Derivation : PART OF 571 ACRES GTD. TO G.W.CARTWRIGHT
Prior CT 2949/85

SCHEDULE 1

B632558 The CROWN Registered 03-Nov-1993 at noon


SCHEDULE 2

Reservations and conditions in the Crown Grant if any
B735792 PROCLAMATION under Section 9A and 52A of the Roads
and Jetties Act 1935 Registered 15-Mar-1994 at noon

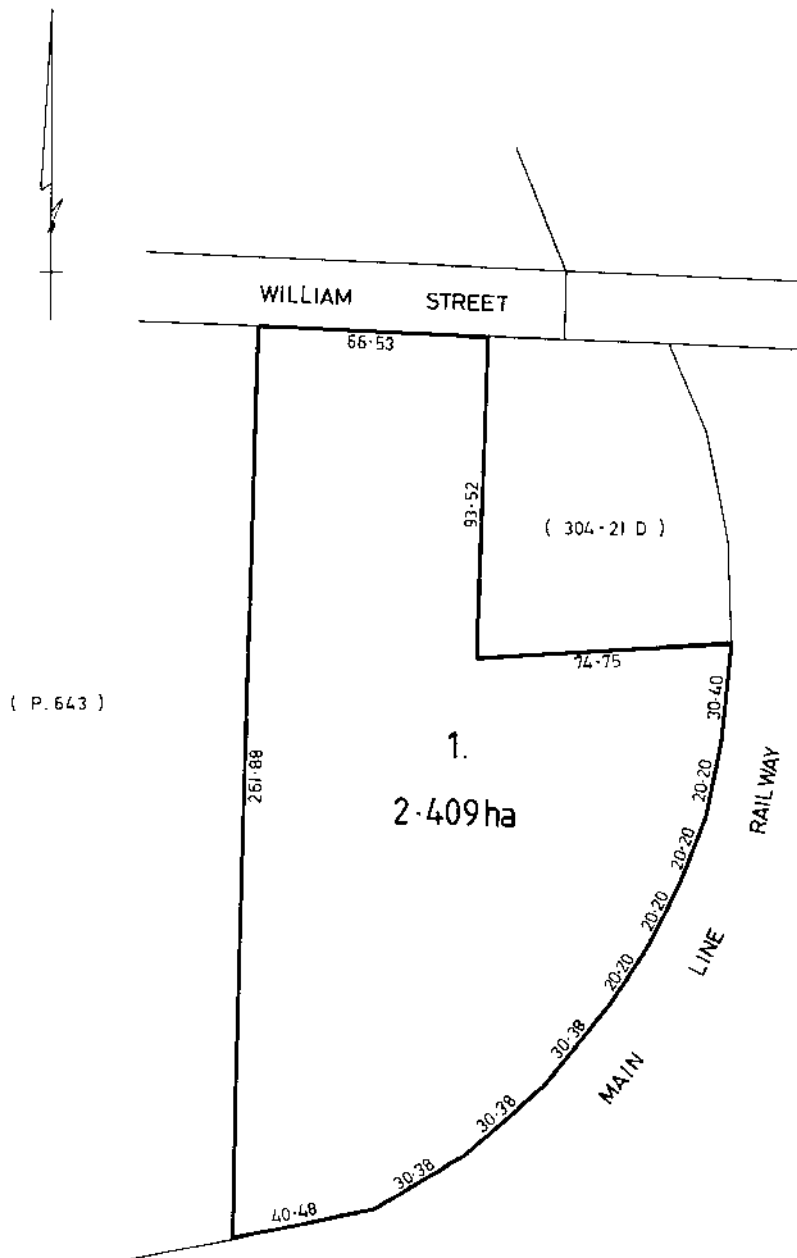
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UNREGISTERED DEALINGS AND NOTATIONS

No unregistered dealings or other notations

OWNER FOLIO REFERENCE C.T. 2949-85 GRANTEE		PLAN OF TITLE LOCATION MONMOUTH MELVILLE COMPILED FROM COMPILED BY SCALE 1:1500 LENGTHS IN METRES		REGISTERED NUMBER D 108441 APPROVED 20 OCT 1993  Recorder of Titles
STATE MUNICIPAL CODE No. 12	LAST UPI No. 2342	LAST SURVEY PLAN No. P. 643	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	

BALANCE PLAN



Appendix B

Preliminary Bushfire Assessment

11 December 2023

Homes Tasmania
Level 4, 134 Macquarie Street,
Hobart TAS 7000

Dear Lisa,

RE: PRELIMINARY BUSHFIRE ASSESSMENT & ADVICE; WILLIAM STREET, BRIGHTON.

This Preliminary Bushfire Assessment (letter of advice) has been prepared by James Rogerson of Rogerson & Birch Surveyors (JR Bushfire Assessments) on behalf of the proponent to form supporting documentation for a proposed subdivision of the Crown Land on William Street (Near Sexton Street), Brighton.

I, James Rogerson am an accredited Bushfire Practitioner (BFP-161) to assess bushfire hazards and endorse Bushfire Hazard Management Plans. I have successfully completed the *Planning for Bushfire Prone Areas Short Course* at University of Technology Sydney.

The proposal is for a 3 lots subdivided out of C.T.108441 and C.T.78100/1.

The site is within Tasmanian Planning Scheme – Brighton (TPS) and is currently zoned Utilities. The proposed subdivision is within a Bushfire-Prone Area of the TPS and therefore must have a Bushfire Assessment and Bushfire Hazard Management Plan (BHMP) completed and submitted with the subdivision proposal.

Noting, this letter of advice is advising, not certifying the probable BAL-19 rating of the proposed 3 lots.

I visited the site on the 9th of December 2023 to undertake some site analysis to determine the vegetation class, slope & wind direction to determine the probable BAL-19 setbacks.

The only classified vegetation bushfire threat to the proposed subdivision is GROUP G GRASSLAND fuel within and northeast of the development. See Figure 1 below for a site vegetation description.

Craig Rogerson B.Surv., L.S., M.I.S.
Andrew Birch B.Surv., L.S., M.I.S.
David Miller B.Surv., L.S., M.I.S.

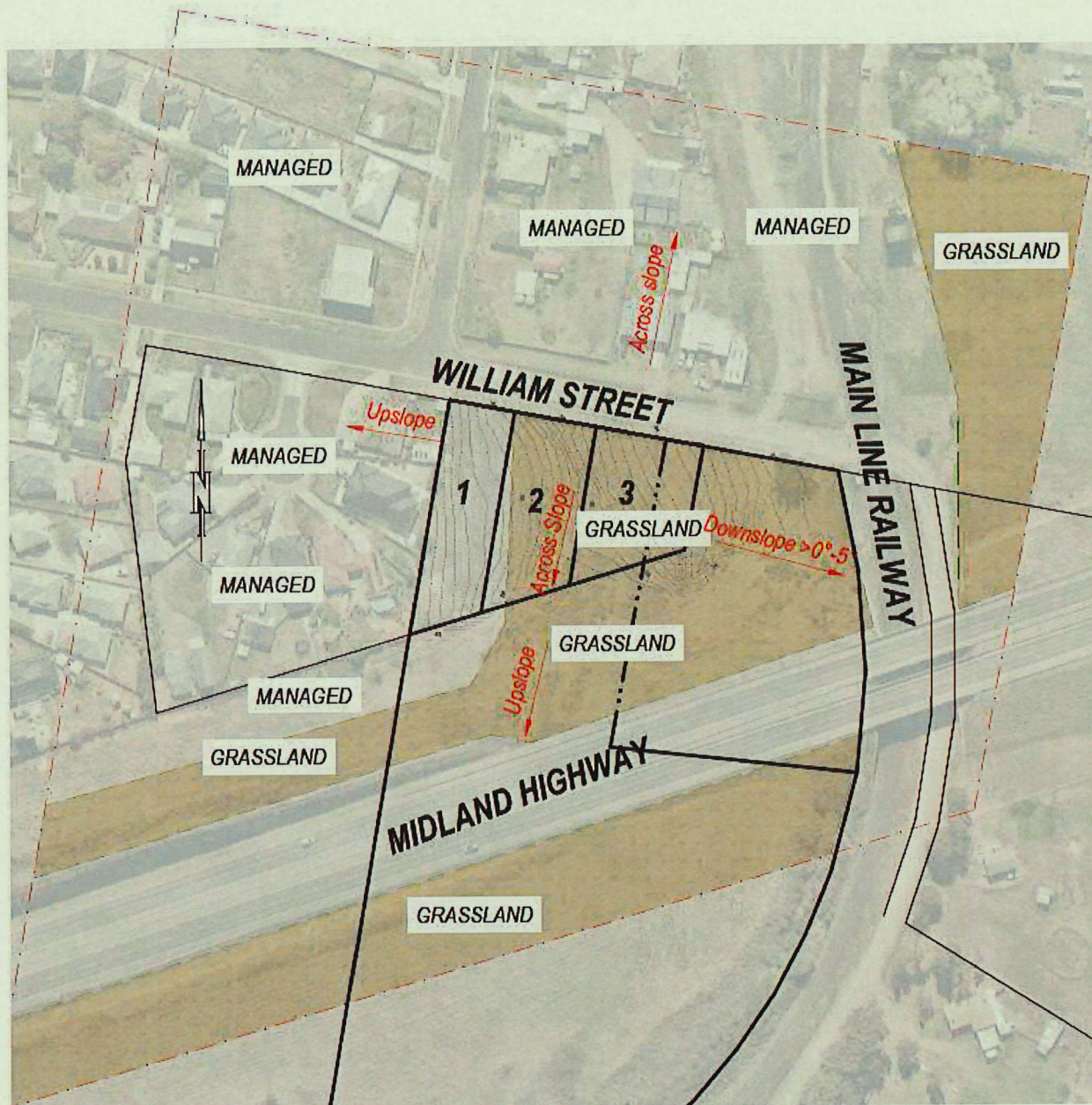


Figure 1 – Classified vegetation and slopes within 100m of the site

Provisions against the bushfire protections measures.

C13.6.1 – Hazard Management Areas (HMA):

Each of the 3 lots will be able to accommodate a building area of BAL-19. The HMA or BAL-19 setbacks for the east and west aspects will not be able to be contained within the individual lot, so it would be preferable for the entirety of the 3 lots to be maintained as an HMA. If the Grassland fuel to the east and south is kept unmanaged (as it currently is) there will need to be an 11m setback from the east boundary and a 10m offset from the south boundary.

C13.6.2 – Public and fire fighting access:

The development fronts the bitumen sealed road, maintained by the Brighton Council and is 7m wide and therefore will comply to C13.6.2.

The proposed development is serviced by reticulated water, the accesses will (most likely) be 30m or less and access is not required for a fire appliance and therefore the development would comply to C.13.6.2.

C13.6.3 – Provision of water supply for fire fighting

The proposed development is serviced by reticulated water and there are two fire hydrants within the vicinity of the development. The BAL-19 building areas of all 3 lots are within the 120m (hose lay) limit of the hydrants and therefore the development will comply with C13.6.3.

To conclude, I confirm that the proposed 3 lot development would comply to all relevant bushfire protection measures to C13.0.

Below (Figure 2) is a rough sketch of what a Bushfire Hazard Management Plan (BHMP) would look like.

Appendix C

Aboriginal Heritage Assessment



Proposed Land Re-zoning and
Subdivision of
Land at William Street, Brighton
Sub-Surface Test Pitting Program

Final Report
Version 1

AUTHOR: Stuart Huys and Rocky Sainty

Client:
Homes Tasmania

9.1.2024

CULTURAL
HERITAGE
MANAGEMENT
AUSTRALIA

Report Version Control

Report version	Report distribution	Date of Distribution
Draft Report V1	Zoe Smith (CHMA internal review)	1.12.2023
Draft Report V1	Proponent for review	2.12.2023
Final Draft Report V1	Aboriginal Heritage Tasmania	9.12.2023
Final Report V2	Aboriginal Heritage Tasmania	9.1.2024

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2.2 Aims of the Test Pitting Program	9
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Executive Summary

Project Details

Homes Tasmania is looking to rezone an area of land on the southern side of William Street, Brighton from Utilities to General Residential under the Tasmanian Planning Scheme – Brighton Local Provisions Schedule (planning scheme). The proposal relates to Crown land managed by the Department of State Growth that lies at the eastern end of William Street, Brighton adjacent to the north of the Midland Highway and to the west of the South Line railway (the study area). This parcel of land encompasses approximately 0.41ha. Figure 1 shows the general location of the study area, with Figure 2 showing the study area boundaries.

CHMA Pty Ltd and Rocky Sainty (AHO) were engaged by the Department of Communities Tasmania to undertake an Aboriginal heritage assessment for the William Street Rezoning land (the study area). CHMA (2022) prepared a report that presented the findings of this assessment. CHMA (2022) reported that no Aboriginal sites or suspected features were identified during the field survey assessment of the William Street study area. However, CHMA (2022) recommended that a program of sub-surface investigations should be undertaken in order to verify whether sub-surface Aboriginal heritage deposits were present in the study area.

CHMA and Rocky Sainty have now been engaged by Homes Tasmania to undertake the sub-surface investigations within the William Street study area. The test pitting program at William Street, Brighton has been undertaken under Permit No. P207. A copy of this permit is presented in Appendix 3 of this report.

This report presents the findings of the investigations and acts as an addendum to the survey assessment report prepared by CHMA (2022).

Summary Results of the Test Pitting Program

Phase 1 of the test pitting program involved the excavation of 10 test pits. No Aboriginal artefacts, cultural deposits, or suspected archaeological/cultural features were identified through the Phase 1 test pitting program. These negative results provide a very strong indication that Aboriginal artefacts are either absent across the study area, or present in very low densities. There is certainly no indication that artefacts or other cultural features associated with nearby registered sites AH11810 or AH10757 extend into the study area.

The soil profiles from the 10 test pits excavated across the study area shows that this area has been subject to high levels of past disturbances, primarily associated with past land clearing. However, introduced gravels and fill material were also noted in a number of the test pits. Based on these soil profiles, if there are undetected artefacts present in the study area, they will be in a very highly disturbed context. The soil profiles clearly demonstrate that there is no potential for intact, stratified cultural deposits to be present. This is consistent with the observations made by CHMA (2022). The test pit soil profiles are presented in Appendix 1.

The negative findings of the CHMA (2022) survey assessment and the Phase 1 test pitting program, has demonstrated that the proposed rezoning and subdivision of the land at William Street, Brighton will have no impacts on any known Aboriginal heritage values and it can be stated with a high level of confidence that there is a very low potential that undetected Aboriginal heritage features will be present in the study area.

Management Recommendations

Recommendation 1 (The Study Area)

No Aboriginal artefacts, cultural deposits, or suspected archaeological/cultural features were identified through the Phase 1 test pitting program. The negative findings of the CHMA (2022) survey assessment and the Phase 1 test pitting program, has demonstrated that the proposed rezoning and subdivision of the land at William Street, Brighton will have no impacts on any known Aboriginal heritage values and it can be stated with a high level of confidence that there is a very low potential that undetected Aboriginal heritage features will be present. On this basis, it is advised that there are no Aboriginal heritage constraints to the rezoning and subdivision of the William Street, Brighton land.

Recommendation 2 (Registered Aboriginal Sites in the Vicinity of the Study Area)

As documented by CHMA (2022), there are three registered Aboriginal sites that are situated in reasonably close proximity to the William Street study area. These are sites AH11810, AH10756 and AH10757 (see Figure 3). None of these sites are under any direct threat of impact from this project, being outside the project footprint. However, as a precautionary measure it is recommended that the proponent notes the location of these sites and takes appropriate measures to ensure that these sites are not inadvertently impacted during development.

Recommendation 3 (Unanticipated Discovery Plan)

If, during the course of proposed development works within the William Street, Brighton land, previously undetected Aboriginal heritage sites, suspected features or objects are located, the processes outlined in the Unanticipated Discovery Plan should be followed (see Appendix 2). A copy of the Unanticipated Discovery Plan should be kept on site during all ground disturbance and development work. All personnel should be made aware of the Unanticipated Discovery Plan and their obligations under the *Aboriginal Heritage Act 1975* (the Act). Under section 10(3) of the Act, a person shall, as soon as practicable after finding a relic, inform the Director or an authorised officer of the find.

Recommendation 4 (Report Submission)

Copies of this report should be submitted to Aboriginal Heritage Tasmania (AHT) for review and comment.

1.0 Project Outline

Homes Tasmania is looking to rezone an area of land on the southern side of William Street, Brighton from Utilities to General Residential under the Tasmanian Planning Scheme – Brighton Local Provisions Schedule (planning scheme). The proposal relates to Crown land managed by the Department of State Growth that lies at the eastern end of William Street, Brighton adjacent to the north of the Midland Highway and to the west of the South Line railway (the study area). This parcel of land encompasses approximately 0.41ha. Figure 1 shows the general location of the study area, with Figure 2 showing the study area boundaries.

CHMA Pty Ltd and Rocky Sainty (AHO) were engaged by the Department of Communities Tasmania to undertake an Aboriginal heritage assessment for the William Street Rezoning land (the study area). CHMA (2022) prepared a report that presented the findings of this assessment. CHMA (2022) reported that no Aboriginal sites or suspected features were identified during the field survey assessment of the William Street study area. The search of the AHR undertaken for the project showed that there were no registered Aboriginal sites that are located within the actual study area boundaries. The closest registered sites to the study area were sites AH11810, (which is a highly disturbed artefact scatter), AH10756 (an isolated artefact) and AH10757 (an artefact scatter). None of these sites appear to be under any direct threat of impact from this project, being outside the project footprint (see Figure 3).

However, CHMA (2022) noted that the close proximity of site AH10757 to the study area was a major consideration for this project. Site AH10757 is an artefact scatter that is located on the west margins of the Jordan River, around 170m east of the William Street study area. The site was identified on a levee deposit on the west margins of the Jordan River. Subsequent excavations at the site indicated an occupation period dating back to 41,000 years before present, making this the oldest dated site in Tasmania, and amongst the oldest in Australia (Paton 2010). The William Street study area does not extend to within the river floodplain where the levee deposits occur. The study area is situated on the lower hill slopes that sits above the levee deposit of the Jordan River. There is a distinct embankment to the east of the study area, at the east end of William Street that drops down 2m-3m to the levee deposit. The soils across the study area are quite shallow regolith clay loams, which have been heavily disturbed by past land-use practices. CHMA (2022) observed that this was an important consideration, as it means that there is no potential for stratified sub-surface Aboriginal cultural deposits to be situated within the study area. However, CHMA (2022) noted that there was still the possibility that undetected Aboriginal artefacts are present in the study area, albeit in a disturbed, non-stratified context. CHMA (2022) observed that fill material extends across much of the southern and western parts of the study area. From an Aboriginal heritage perspective, any cultural deposits that may have been present in these areas will have either been completely destroyed or covered with metres of fill material. The only part of the study area where natural soil deposits are likely to still be present is across the central and eastern parts (see Figure 4). CHMA (2022) postulated that

this was really the only area where there is any potential for Aboriginal heritage to still be present, albeit in a disturbed context. CHMA (2022) stated that the only effective way to demonstrate whether there are any artefact deposits present would be through a program of sub-surface investigations. Because of the proximity of the study area to the Jordan River levee and associated site AH10757 and the highly sensitive and significant nature of this site, CHMA (2022) recommended that these sub-surface investigations should be implemented.

The report prepared by CHMA (2022) was subsequently reviewed and accepted by Aboriginal Heritage Tasmania (AHT).

CHMA and Rocky Sainty have now been engaged by Homes Tasmania to undertake the sub-surface investigations within the William Street study area. This report presents the findings of the investigations and acts as an addendum to the survey assessment report prepared by CHMA (2022).

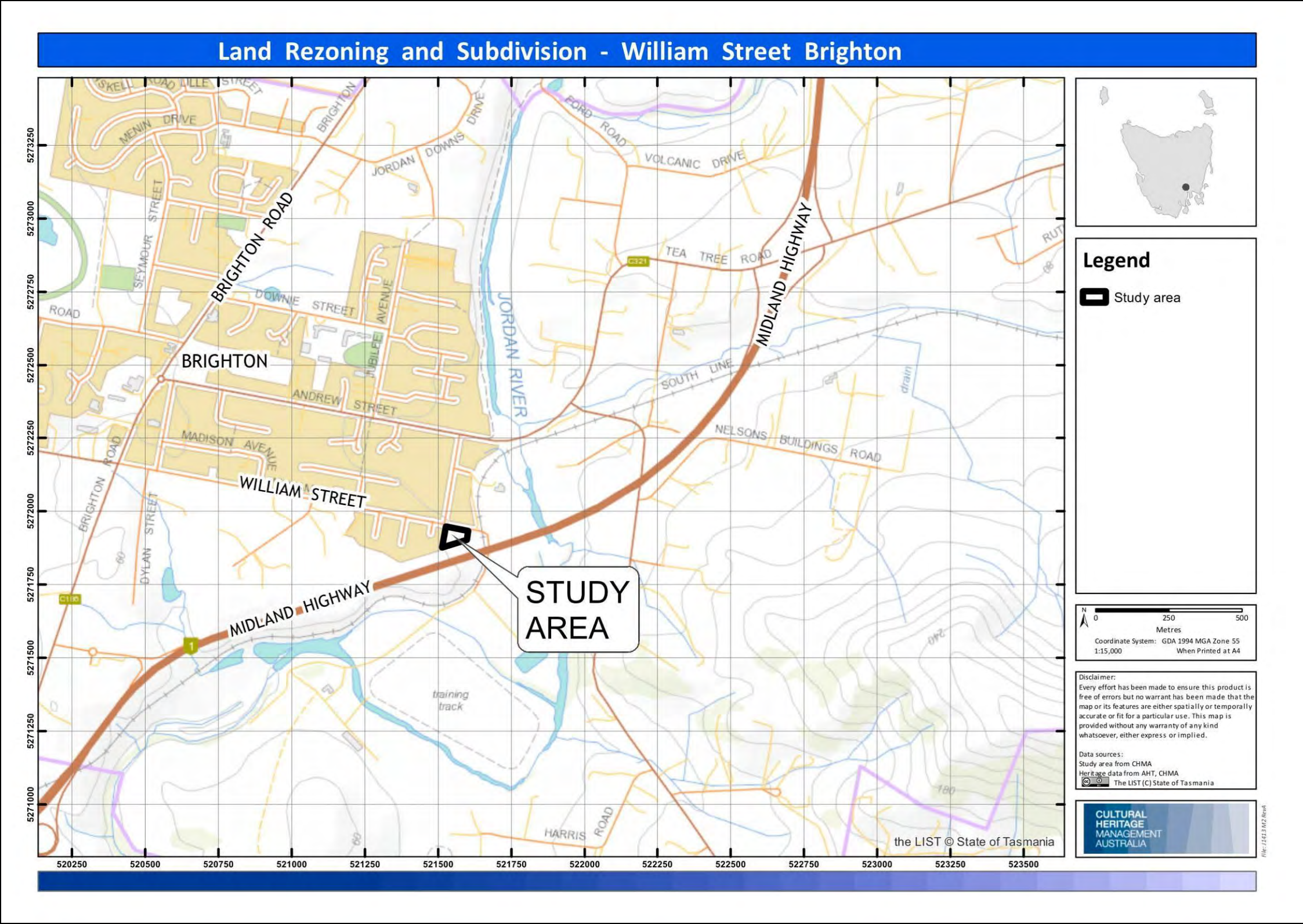


Figure 1: Topographic map showing the boundaries and landscape setting of the William Street study area at Brighton

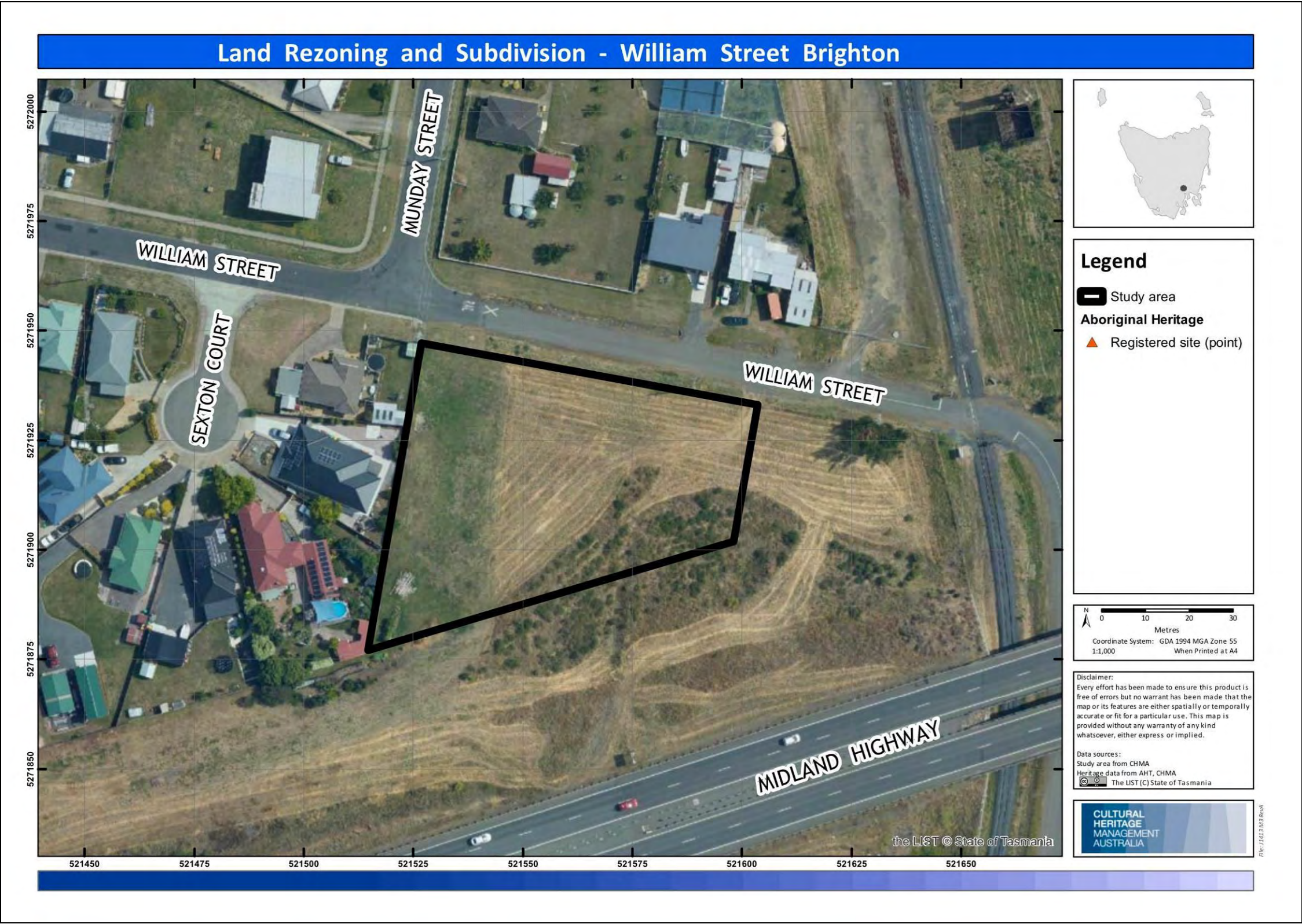


Figure 2: Aerial image showing the boundaries of the William Street, Brighton study area



**Figure 3: Aerial image showing the location of the registered Aboriginal sites located in closest proximity to the William Street study area
(Based on the results of the AHR search dated 19-9-2022)**



Figure 4: Aerial image showing the extent of fill material across the study area and those areas where natural soils are still likely to be present

2.0 Aims and Methodology for the Test Pitting Program

2.1 Statutory Requirements

All Aboriginal relics are protected under the *Aboriginal Heritage Act 1975* (The Act) and it is illegal to destroy, damage, deface, conceal or otherwise interfere with a relic, unless in accordance with the terms of a permit granted by the Minister. Therefore, if sub-surface investigations are undertaken within the bounds of a registered or known Aboriginal site, a Permit is required. A Permit is also required in order to specifically investigate for Aboriginal heritage sites on Crown Land.

The proposed test pitting program will be focused within Crown land. Section 14(f) of the Act specifies that a Permit is required for any excavations that are undertaken on Crown Land for the purposes of searching for a relic. The test pitting program at William Street, Brighton has been undertaken under Permit No. P207. A copy of this permit is presented in Appendix 3 of this report.

2.2 Aims of the Test Pitting Program

The primary aim of the test pitting program is to determine the presence or absence of Aboriginal cultural heritage deposits within the bounds of the William Street study area. If Aboriginal cultural heritage deposits do extend to within the development footprint, then the secondary aims of the sub-surface investigations will be as follows.

- To more accurately determine the nature and density of Aboriginal heritage deposits within the development footprint.
- To ascertain the potential impacts of the proposed development on these cultural deposits.
- To develop a set of management/mitigation strategies which are directed towards minimising and mitigating any potential impacts of the development proposal on Aboriginal heritage values.

2.3 Test Pitting Methodology

Prior to test pitting works commencing, a test pitting methodology for the investigations at William Street, Brighton was prepared by CHMA and submitted to AHT for review. AHT has confirmed that it has accepted the Method Statement. The following methodology is based on the approved Method Statement.

In accordance with the *Aboriginal Heritage Standards and Procedures* (section 14 relating to sub-surface investigations) prepared by AHT, the test pitting methodology was designed to be implemented in up to three Phases. Ultimately, only Phase 1 of the test pitting works was implemented. Based on the findings of the Phase 1, and subsequent discussions with AHT, it was decided that Phase 2 and Phase 3 test pitting would not be required at this point (see below for further details).

Methodology for Phase 1 of the Test Pitting Program

The Phase 1 test pitting program was implemented over a period of one day (21.11.2023), by Stuart Huys (CHMA excavation director) and Rocky Sainty (Project Aboriginal Heritage Officer) and Sarah Klavins (CHMA Archaeologist). Phase 1 involved the excavation of 10 test pits. These 10 test pits were placed in a grid formation across the area assessed by CHMA (2022) as potentially being less disturbed and having natural soils present, with the pits spaced between 10m and 20m apart from each other. Figure 5 shows the distribution of the Phase 1 test pits.

The following procedures were implemented for Phase 1 of the test pitting program.

- Each test pit measured 50cm × 50cm and as a general rule were excavated to a depth at which bed rock or culturally sterile sediment was exposed.
- The test pits were excavated with a square flat blade shovel. For vertical control, excavations proceed in 10cm spits.
- The location of each test pit was recorded with a GPS.
- Each pit was photographed, and notes taken on the soil profiles.
- All excavated soils were placed into buckets which were labelled according to provenance. These soils were then dry sieved through 3mm screen mesh.
- Any Aboriginal artefacts or cultural deposits recovered through the sieving program would be placed into bags with a unique identification code, and retained for further analysis, which was implemented on-site.
- Once analysed, the recovered artefacts and cultural deposits would be appropriately bagged, and labelled..
- At the completion of test pitting, each pit was in-filled.
- The excavation director or the supervising archaeologist kept a field journal and a visual diary, creating a written and photographic record of the daily progression of the excavation.

At the completion of the Phase 1 test pitting program, the CHMA excavation Director (Stuart Huys) met with the Proponent and AHT staff to discuss the findings of the Phase 1 works, and to ratify whether there was any requirements to implement Phase 2 test pitting. Based on the negative findings of the Phase 1 test pitting program, it has been determined that Phase 2 and 3 investigations are not required.

2.4 Report Preparation

The report documenting the findings of Phase 1 of the test pitting program has been prepared by Stuart Huys, in consultation with Rocky Sainty (AHO). The report has been structured in accordance with AHT Guideline requirements. In addition to the report, CHMA has supplied AHT and the proponent all data files, and mapping associated with the project.



Figure 5: Aerial image showing the distribution of the Phase 1 test pits across the William Street study area

3.0 Results of the Test Pitting Program

As noted in section 2.3 of this report, Phase 1 of the test pitting program involved the excavation of 10 test pits. No Aboriginal artefacts, cultural deposits, or suspected archaeological/cultural features were identified through the Phase 1 test pitting program. These negative results provide a very strong indication that Aboriginal artefacts are either absent across the study area, or present in very low densities. There is certainly no indication that artefacts or other cultural features associated with nearby registered sites AH11810 or AH10757 extend into the study area.

The soil profiles from the 10 test pits excavated across the study area shows that this area has been subject to high levels of past disturbances, primarily associated with past land clearing. However, introduced gravels and fill material were also noted in a number of the test pits. Based on these soil profiles, if there are undetected artefacts present in the study area, they will be in a very highly disturbed context. The soil profiles clearly demonstrate that there is no potential for intact, stratified cultural deposits to be present. This is consistent with the observations made by CHMA (2022). The test pit soil profiles are presented in Appendix 1.

The negative findings of the CHMA (2022) survey assessment and the Phase 1 test pitting program, has demonstrated that the proposed rezoning and subdivision of the land at William Street, Brighton will have no impacts on any known Aboriginal heritage values and it can be stated with a high level of confidence that there is a very low potential that undetected Aboriginal heritage features will be present in the study area.

4.0 Management Recommendations

Recommendation 1 (The Study Area)

No Aboriginal artefacts, cultural deposits, or suspected archaeological/cultural features were identified through the Phase 1 test pitting program. The negative findings of the CHMA (2022) survey assessment and the Phase 1 test pitting program, has demonstrated that the proposed rezoning and subdivision of the land at William Street, Brighton will have no impacts on any known Aboriginal heritage values and it can be stated with a high level of confidence that there is a very low potential that undetected Aboriginal heritage features will be present. On this basis, it is advised that there are no Aboriginal heritage constraints to the rezoning and subdivision of the William Street, Brighton land.

Recommendation 2 (Registered Aboriginal Sites in the Vicinity of the Study Area)

As documented by CHMA (2022), there are three registered Aboriginal sites that are situated in reasonably close proximity to the William Street study area. These are sites AH11810, AH10756 and AH10757 (see Figure 3). None of these sites are under any direct threat of impact from this project, being outside the project footprint. However, as a precautionary measure it is recommended that the proponent notes the location of these sites and takes appropriate measures to ensure that these sites are not inadvertently impacted during development.

Recommendation 3 (Unanticipated Discovery Plan)

If, during the course of proposed development works within the William Street, Brighton land, previously undetected Aboriginal heritage sites, suspected features or objects are located, the processes outlined in the Unanticipated Discovery Plan should be followed (see Appendix 2). A copy of the Unanticipated Discovery Plan should be kept on site during all ground disturbance and development work. All personnel should be made aware of the Unanticipated Discovery Plan and their obligations under the *Aboriginal Heritage Act 1975* (the Act). Under section 10(3) of the Act, a person shall, as soon as practicable after finding a relic, inform the Director or an authorised officer of the find.

Recommendation 4 (Report Submission)

Copies of this report should be submitted to Aboriginal Heritage Tasmania (AHT) for review and comment.

References Cited

CHMA 2022 *Proposed Land Re-zoning and Subdivision of Land at William Street, Brighton: Aboriginal Heritage Assessment Report*. A report to Department of Communities Tasmania.

Appendix 1

Test Pit Profiles and Photos

Table 1: Summary table of soil profiles for the Phase 1 Test Pits in the William Street Study Area

Test pit	Spit 1 (0-10cm)	Spit 2 (10-20cm)	Spit 3 (20-30cm)
TP1	Very dry, very compact, dark grey clay fill with grass rootlets and gravel inclusions. Sharp transition to dry, very compact, mid-grey gravel base. End of excavation at 10cm below surface.	Closed	Closed
TP2	Very dry, very compact, dark grey clay fill with grass rootlets between 0-5cm and gravel inclusions.	Continuation of parent material.	Continuation of parent material. Sharp transition to dry, very compact, mid-grey gravel base. End of Excavation at 27cm below surface.
TP3	Very dry, very compact, mid greyish brown loam with minimal gravel inclusions, grass rootlets.	Continuation of parent material. Gradual transition to mid orangish-brown loam with decayed organic material throughout at 11cm below surface. Frequent root activity (likely from previous crops) throughout.	Continuation of parent material. Gradual transition to dry, mid orangish-brown clay base with decayed organic material. End of excavation at 24cm below surface.
TP4	Very dry, very compact, mid greyish-brown loam.	Continuation of parent material. Gradual transition to mid greyish-brown clay with orange inclusions at 16cm below surface.	Continuation of parent material. Increasing clay content with depth, end of excavation at 25cm below surface at clay base.
TP5	Very dry, very compact, dark greyish-brown clayey loam with grass rootlet inclusions.	Continuation of parent material. increasing clay content with depth. Gradual transition at 15cm below surface to dry, mid orange clay base. End of excavation at 15cm below surface.	Closed.
TP6	Very dry, very compact, dark greyish-brown clayey loam with grass rootlet inclusions.	Continuation of parent material. increasing clay content with depth. End of excavation at 15cm below	Closed.

William Street Brighton – Land Rezoning and Subdivision
Test Pitting Program CHMA 2023

Test pit	Spit 1 (0-10cm)	Spit 2 (10-20cm)	Spit 3 (20-30cm)
		surface at clay base.	
TP7	Very dry, very compact, dark greyish-brown clay with grass rootlet inclusions. End of Excavation at 7cm below surface.	Closed.	Closed.
TP8	Very dry, very compact, dark greyish-brown clay with grass rootlet inclusions. End of Excavation at 7cm below surface.	Closed.	Closed.
TP9	Very dry, very compact, dark brownish-grey sandy clay with grass rootlet inclusions. Sharp transition at 3cm below surface to dark greyish-brown clay with grass rootlets to 9cm.	Continuation of parent material. End of Excavation at 12cm below surface.	Closed.
TP10	Very dry, very compact, dark brownish-grey sandy clay with grass rootlet inclusions. Sharp transition at 3cm below surface to dark greyish-brown clay with grass rootlets to 8cm.	Continuation of parent material. End of Excavation at 17cm below surface.	Closed.

Table 2: Selection of test pit profile photos from the Phase 1 Test Pits in the William Street Study Area

Test Pit	Profile View	Aerial View
1	 A profile view of a test pit. A yellow measuring tape is stretched across the top of the pit. A white label with handwritten text is placed on the ground in front of the pit. The text on the label reads: "WILLIAMS STREET 21/11/23", "SUB SURFACE", "TP 1", and "N". The soil in the pit shows distinct layers of dark brown topsoil and lighter brown subsoil.	 An aerial view of the same test pit. A yellow measuring tape is stretched across the top of the pit. A white label with handwritten text is placed on the ground in front of the pit. The text on the label reads: "WILLIAMS STREET 21/11/23", "SUB SURFACE", "TP 1", and "N". The soil in the pit shows distinct layers of dark brown topsoil and lighter brown subsoil.

2



3



4



5



6



7



8



9



10



Appendix 2

Unanticipated Discovery Plan

Unanticipated Discovery Plan

Procedure for the management of unanticipated discoveries of Aboriginal relics in Tasmania

For the management of unanticipated discoveries of Aboriginal relics in accordance with the *Aboriginal Heritage Act 1975* and the *Coroners Act 1995*. The Unanticipated Discovery Plan is in two sections.

Discovery of Aboriginal Relics other than Skeletal Material

Step 1:

Any person who believes they have uncovered Aboriginal relics should notify all employees or contractors working in the immediate area that all earth disturbance works must cease immediately.

Step 2:

A temporary 'no-go' or buffer zone of at least 10m x 10m should be implemented to protect the suspected Aboriginal relics, where practicable. No unauthorised entry or works will be allowed within this 'no-go' zone until the suspected Aboriginal relics have been assessed by a consulting archaeologist, Aboriginal Heritage Officer or Aboriginal Heritage Tasmania staff member.

Step 3:

Contact Aboriginal Heritage Tasmania on **1300 487 045** as soon as possible and inform them of the discovery. Documentation of the find should be emailed to

aboriginalheritage@dpac.tas.gov.au as soon as possible. Aboriginal Heritage Tasmania will then provide further advice in accordance with the *Aboriginal Heritage Act 1975*.

Discovery of Skeletal Material

Step 1:

Call the Police immediately. Under no circumstances should the suspected skeletal material be touched or disturbed. The area should be managed as a crime scene. It is a criminal offence to interfere with a crime scene.

Step 2:

Any person who believes they have uncovered skeletal material should notify all employees or contractors working in the immediate area that all earth disturbance works cease immediately.

Step 3:

A temporary 'no-go' or buffer zone of at least 50m x 50m should be implemented to protect the suspected skeletal material, where practicable. No unauthorised entry or works will be allowed within this 'no-go' zone until the suspected skeletal remains have been assessed by the Police and/or Coroner.

Step 4:

If it is suspected that the skeletal material is Aboriginal, Aboriginal Heritage Tasmania should be notified.

Step 5:

Should the skeletal material be determined to be Aboriginal, the Coroner will contact the Aboriginal organisation approved by the Attorney-General, as per the *Coroners Act 1995*.

Guide to Aboriginal site types

Stone Artefact Scatters

A stone artefact is any stone or rock fractured or modified by Aboriginal people to produce cutting, scraping or grinding implements. Stone artefacts are indicative of past Aboriginal living spaces, trade and movement throughout Tasmania. Aboriginal people used hornfels, chalcedony, spongelite, quartzite, chert and silcrete depending on stone quality and availability. Stone artefacts are typically recorded as being 'isolated' (single stone artefact) or as an 'artefact scatter' (multiple stone artefacts).

Shell Middens

Middens are distinct concentrations of discarded shell that have accumulated as a result of past Aboriginal camping and food processing activities. These sites are usually found near waterways and coastal areas, and range in size from large mounds to small scatters. Tasmanian Aboriginal middens commonly contain fragments of mature edible shellfish such as abalone, oyster, mussel, warrener and limpet, however they can also contain stone tools, animal bone and charcoal.

Rockshelters

An occupied rockshelter is a cave or overhang that contains evidence of past Aboriginal use and occupation, such as stone tools, middens and hearths, and in some cases, rock markings. Rockshelters are usually found in geological formations that are naturally prone to weathering, such as limestone, dolerite and sandstone.

Quarries

An Aboriginal quarry is a place where stone or ochre has been extracted from a natural source by Aboriginal people. Quarries can be recognised by evidence of human manipulation such as battering of an outcrop, stone fracturing debris or ochre pits left behind from processing the raw material. Stone and ochre quarries can vary in terms of size, quality and the frequency of use.

Rock Marking

Rock marking is the term used in Tasmania to define markings on rocks which are the result of Aboriginal practices. Rock markings come in two forms; engraving and painting. Engravings are made by removing the surface of a rock through pecking, abrading or grinding, whilst paintings are made by adding pigment or ochre to the surface of a rock.

Burials

Aboriginal burial sites are highly sensitive and may be found in a variety of places, including sand dunes, shell middens and rock shelters. Despite few records of pre-contact practices, cremation appears to have been more common than burial. Family members carried bones or ashes of recently deceased relatives. The Aboriginal community has fought long campaigns for the return of the remains of ancestral Aboriginal people.

Further information on Aboriginal Heritage is available from:

Aboriginal Heritage Tasmania
Community Partnerships and Priorities
Department of Premier and Cabinet
GPO Box 123 Hobart TAS 7001

Telephone: **1300 487 045**

Email: **aboriginalheritage@dpac.tas.gov.au**

Web: **www.aboriginalheritage.tas.gov.au**

This publication may be of assistance to you but the State of Tasmania and its employees do not accept responsibility for the accuracy, completeness, or relevance to the user's purpose, of the information and therefore disclaims all liability for any error, loss or other consequence which may arise from relying on any information in this publication.



Appendix 3

Permit No. P207



**Permit for the purposes of Section 14
of the *Aboriginal Heritage Act 1975* (Tas)**

Permit No.:	P207
Name of Applicant:	Richard Gilmour (Homes Tasmania)
Project Title:	Sub-surface Testing – William Street, Brighton

Permit for the purposes of Section 14 of the *Aboriginal Heritage Act 1975* (Tas)

1 Background

- (a) The Applicant has made an application to the Minister for a Permit for the purpose of enabling persons to undertake the Approved Works on The Land without contravening Section 14 of the Act.
 - (b) The Minister has received a recommendation from the Director of National Parks and Wildlife that the Minister grant a permit pursuant to Section 14 of the Act under the terms contained in this permit.
-

2 Grant of Permit

The Minister in the exercise of their powers under the Act, hereby grants, on the terms set out in clause 3, to the Approved Persons a permit, for the purposes of Section 14 of the Act, to do the Permitted Acts in relation to Relics in connection with the carrying out on The Land of the Approved Works. This permit does not provide authorisation to undertake these works under any legislation other than the *Aboriginal Heritage Act 1975*.

3 Permit terms (conditions)

This permit is granted subject to the following terms:

- (a) The term of the permit is limited to the Permit Period.
- (b) Each Approved Person must comply with any direction given by the Minister in relation to:
 - (i) the Relics; or
 - (ii) any Relics disturbed by, uncovered or otherwise discovered during, or as a result of, the carrying out of the Approved Works,including, but not limited to, a direction to suspend the Approved Works.
- (c) All Approved Works and/or Permitted Acts must be undertaken in strict accordance with the conditions prescribed in this permit.
- (d) No persons may interfere with any Relic except for the purpose of undertaking the Approved Works.
- (e) This permit does not revoke any earlier permit granted for the purposes of Section 14 of the Act in respect of any part of The Land.
- (f) The Applicant must allow, and must ensure that any person who has control of The Land permits the Director and/or their delegate to enter and inspect The Land at all times for the purpose of monitoring compliance with this permit.

- (g) Prior to the commencement of the Approved Works, all persons involved in the Approved Works must be made familiar with the permit and the requirements and conditions therein.
 - (h) A copy of this permit must be kept at the archaeological excavation site office or in the absence of a site office in the possession of an Approved Person for the duration of the Approved Works.
 - (i) All Approved Works must be carried out in accordance with the Permit Application and approved Methodology. Any changes to the approved Methodology must be agreed to by Aboriginal Heritage Tasmania.
 - (j) In the event that unanticipated material, being that other than that described in the Permit Application and Methodology, is located during the Approved Works, the Applicant must ensure that the Unanticipated Discovery Plan (Schedule 4 of this Permit) is implemented.
 - (k) At the conclusion of Approved Works, Aboriginal Heritage Tasmania is to be consulted regarding the short-term management of relics identified, and any additional permitting requirements.
-

4 Definitions

In this permit:

Act means the *Aboriginal Heritage Act 1975* (Tas).

AH means the abbreviated prefix for the Aboriginal Heritage number assigned to known Aboriginal Heritage Sites recorded within the Aboriginal Heritage Register.

Applicant means Richard Gilmour of Homes Tasmania.

Approved Persons means the following:

- (a) the Applicant;
- (b) each contractor engaged by the Applicant to carry out the Approved Works or part thereof;
- (c) the sub-contractors engaged by any such contractor in connection with carrying out any Approved Works; and
- (d) the employees, servants and agents of each of the above whilst carrying out any Approved Works.

Approved Works means sub-surface testing on Crown land, as described in the Permit Application and Methodology.

Director has the meaning in the Act.

Interfere with means to destroy, damage, deface, conceal, or otherwise interfere with.

The Land means that part of William Street, Brighton (CT 108441/1 and CT 78100/1), identified in Schedule 1.

Methodology means *Archaeological Test Pitting Method Statement Version 2 – Proposed Land Rezoning and Residential Subdivision at William Street, Brighton* by Cultural Heritage Management Australia dated 8 June 2023 attached to this Permit (Schedule 3).

Minister means the Minister administering the Act.

Permitted Acts means to interfere with the Relics on or under The Land, associated with undertaking the Approved Works within the terms of this permit.

Permit application means the application made under Section 14 of the Act by Richard Gilmour (Homes Tasmania) dated 22 May 2023 attached to this Permit (Schedule 2).

Permit Period means the period commencing from the date of signing and ending on 22 May 2026 or completion of the Permitted Acts, whichever is the sooner.

Relic has the meaning in the Act.

Dated:

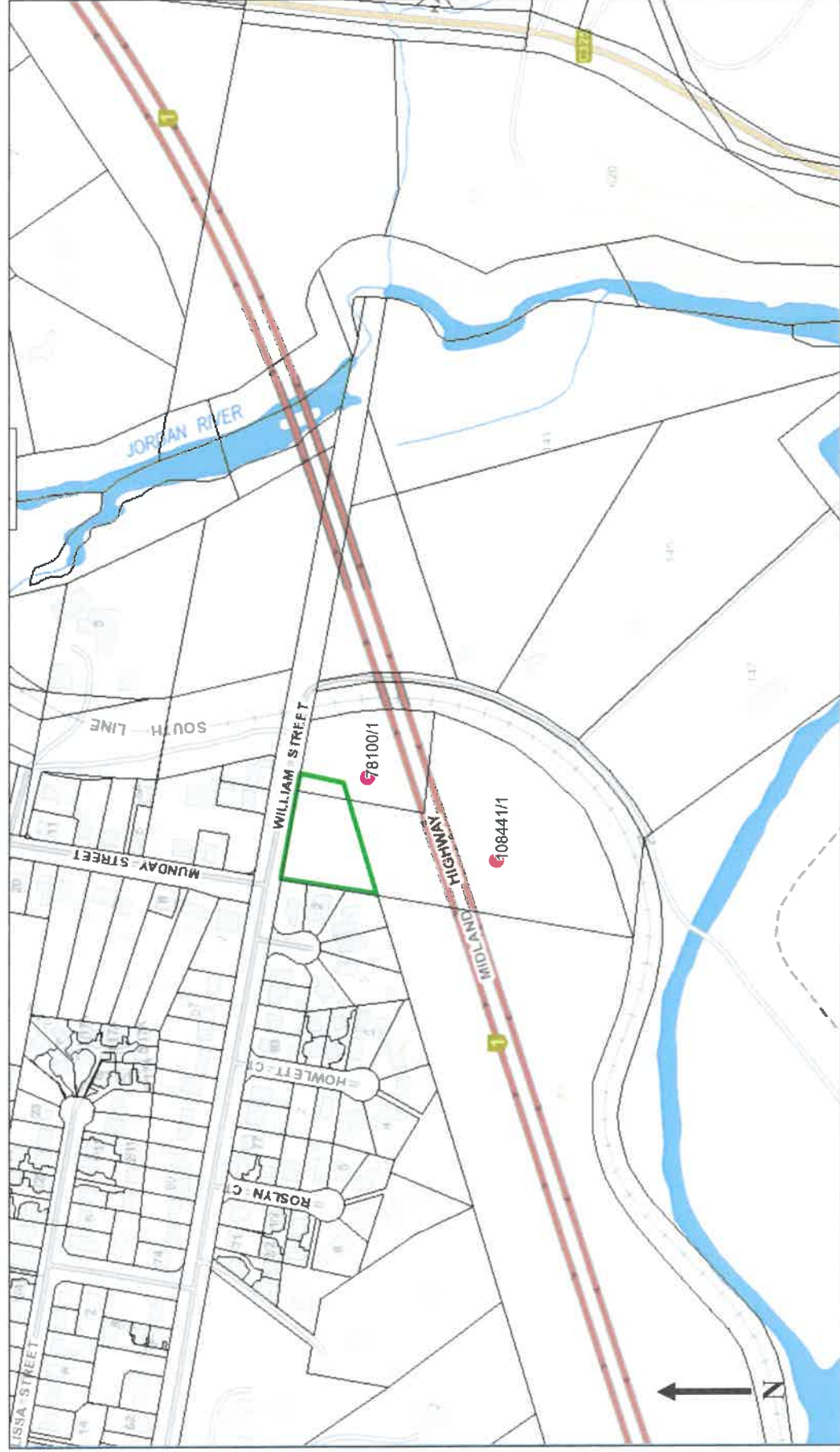
3/10/22



Hon Roger Jaensch MP

Schedule 1: The Land

Location Map – The Land for the purposes of the permit is shown in green.



Appendix D

Consents

Minister for Parks
Minister for the Prevention of Family Violence
Minister for Police, Fire and Emergency Management

Level 5, Parliament Square
4 Salamanca Place, HOBART TAS 7001 Australia
GPO BOX 123, HOBART TAS 7001
Ph: (03) 61657770
Email: minister.petrusma@dpac.tas.gov.au



Director of Housing
GPO Box 65
HOBART TAS 7001

**Consent from the Minister administering the *Crown Lands Act 1976*
pursuant to s.5(3)(a) of the *Housing Land Supply Act 2018***

Pursuant to s.5(3)(a) of the *Housing Land Supply Act 2018*, as the Minister administering the *Crown Lands Act 1976*, I hereby provide consent for the land listed in the table below, to be the subject of an Order under the *Housing Land Supply Act 2018*.

Title Reference	Street Address	Suburb	Authority
CT 108441/1, CT 781001/1	William Street	Brighton	DSG
CT 62700/15	18A Lester Road	Penguin	DSG
N/A	Land at the intersection of Howard Road and Goodwood Road	Glenorchy	DPIPWE

Yours sincerely

Hon Jacquie Petrusma MP
Minister for Parks

Department of State Growth

Salamanca Building, Parliament Square
4 Salamanca Place, Hobart TAS 7000
GPO Box 536, Hobart TAS 7001 Australia
Phone 1800 030 688 Fax (03) 6173 0287
Email info@stategrowth.tas.gov.au Web www.stategrowth.tas.gov.au
Your Ref: / Our Ref: D21/111763



Mr Michael Pervan
Director of Housing
GPO Box 65
HOBART TAS 7001
Via email: Richard.Gilmour@communitites.tas.gov.au

**Subject: Department of State Growth consent pursuant to s.5(3)(b) of the
*Housing Land Supply Act 2018***

Pursuant to s.5(3)(b) of the *Housing Land Supply Act 2018* I, Kim Evans, as the Secretary of the Department of State Growth hereby provide consent for land in the ownership of the Department of State Growth listed in the table below, to be the subject of orders under the *Housing Land Supply Act 2018* and for the Department of Communities to conduct investigative studies and feasibility reports as needed.

PID	Title Reference	Street Address	Suburb
7277221	CT 175618/1	Pineleigh Street	Penguin
6758357	CT 85356/13 (and associated titles at) CT 121362/1, CT 168851/2 CT 246740/18, CT 89259/3 CT 202874/1, CT 202938/2 CT 204674/1, CT 203281/1 CT 203623/1	Preservation Drive	Penguin
-	CT 6109/1	Clarence Street	Howrah
-	CT 62918/35, CT 62918/36	Merinah Street	Clarence
-	CT 197749/1	Claremont Link Road	Chigwell/ Claremont
6758293	CT 62700/15	18A Lester Road	Penguin
-	CT 123065/3, CT 199745/1, CT 87389/34	Glenburn Crescent	Howth
-	CT 108441/1, CT 78100/1	William Street	Brighton

Kim Evans
Secretary

24 June 2021

Appendix E

Contact details of the suggested interested persons

Appendix C: Contact Details of the suggested interested persons (as of 24 February 2022)

Property	Owner Name	Postal Address	PID	Title Reference
	Personal information redacted			