

30 June 2022



Ms Ann Cunningham
Delegate (Chair)
Tasmanian Planning Commission
GPO Box 1691
HOBART TAS

By email: tpc@planning.tas.gov.au

Dear Ms Cunningham

Re: Letter to all Parties - Northern Midlands draft Local Provisions Schedule

I refer to your letter dated 16 June 2022, Attachment A of which directs the Planning Authority to address a number of matters. Please find below submissions in relation to those matters.

- 2.1 *Provide a statement in response to the proposal in representation 9 (John Thompson) that the following properties zoned Agriculture should be included in the Rural Zone or Landscape Conservation Zone and specify if the Planning Authority is of the opinion that any of the properties should be included in Rural Zone or Landscape Conservation Zone*

Please see the attached response.

- 2.2 *Provide a diagram that shows where the Priority Vegetation Area overlay would be applied in the event that the land described in direction item 2.1 is revised to the Rural Zone or Landscape Conservation Zone.*

Please see the attached response.

- 2.3 *Clarify how the Attenuation Area overlay for the Austral Bricks site at 15 Weston Street, Longford folio of the Register 230762/1 complies with AC 1 of Guideline No. 1 as expressed in the draft LPS supporting report.*

The attached Noise and Dust Assessment, Pitt & Sherry, 20 September 2019, was submitted with planning application PLN21-0062 for a low density residential subdivision on 153 and 173 Marlborough Street, Longford, within 200m of the Austral Bricks site at 15 Weston Street.

The assessment finds that “... it may be concluded that residents of the proposed subdivision will not be exposed to unacceptable environmental harm or environmental nuisance, as a result of noise or dust emissions from the brickworks. It may also be concluded that construction of the proposed subdivision will not impose any new compliance burden on the operation of the brickworks, relating to management of noise emissions”.

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It is submitted that this report is from a suitably qualified person and indicates that the existing 200m Attenuation Area around the Austral Bricks site is adequate. The 500m Attenuation Area is no longer supported.

2.4 *Submit written evidence that the registered owners of the following properties support the application of the Rural Living C Zone:*

- 130 Brickendon Street, Longford folio of the Register 116434/1; and
- 140 Catherine Street, Longford folio of the Register 116434/2

A meeting has been held with each of the property owners to discuss this matter. As of the date of this letter, the owners have not provided written evidence that they support the application of the Rural Living zone to their properties.

2.5 *Provide a revised response to section 32(4)(a) or (b) of the Land Use Planning and Approvals Act 1993 for the proposed Poatina Particular Purpose Zone that clarifies which reasons given should be respectively attributed to section 32(4)(a) or (b).*

This is underway, but not completed. An extension of time to provide this is requested until 7 July 2022.

2.6 *Provide a revised written document for the proposed Poatina Particular Purpose Zone that addresses matters listed.*

This is underway, but not completed. An extension of time to provide this is requested until 7 July 2022.

Please contact me on 6397 7303 or email [planning @nmc.tas.gov.au](mailto:planning@nmc.tas.gov.au) if you require any further information.

Yours sincerely,



Paul Godier

Senior Planner

Attachments:

- Response to item 2.1
- Noise and Dust Assessment, Pitt & Sherry, 20 September 2019

RESPONSE TO DIRECTION NUMBER 2.1

Assessment process:




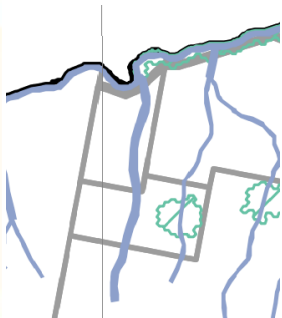

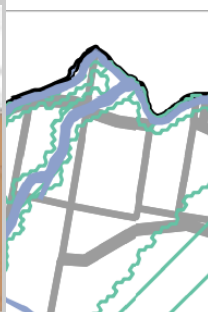
The first step assessed if land was 'predominantly covered' by either bushland or native vegetation coverage. This was determined by assessing if the site had 80% or more coverage (via a desktop analysis of the TasVeg 4.0 layer).


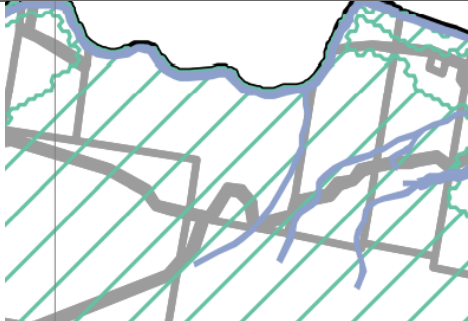
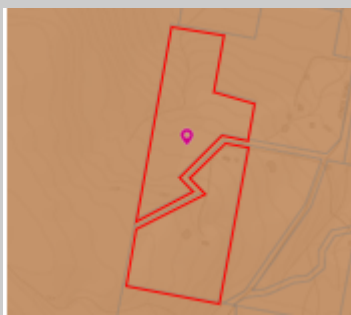
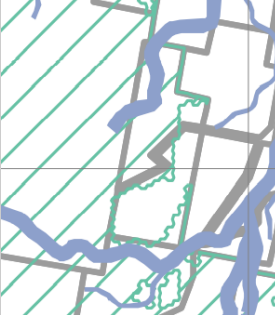





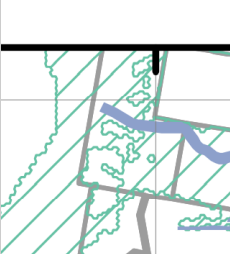

Land that was identified as Private Timber Reserve (PTR) were removed to align with the methodology outlined in the Council's LPS Supporting Report. In accordance with this methodology land subject to a PTR is recommended for the AZ.

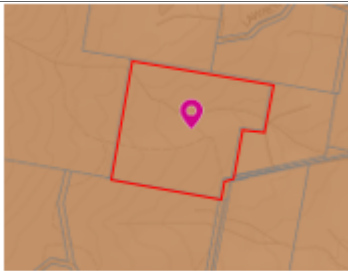



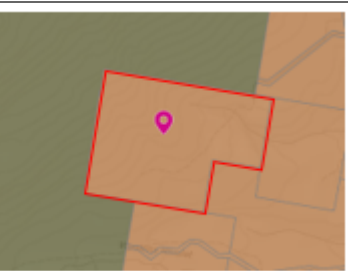



Land was then assessed for the existence of significant constraints by way of either the Natural Assets (NAC) or the Scenic Protection (SPC) codes. This was determined by assessing if the site had 80% or more coverage of either code overlay (for the purposes of this exercise the NAC coverage used was the pre-zoning NAC area).


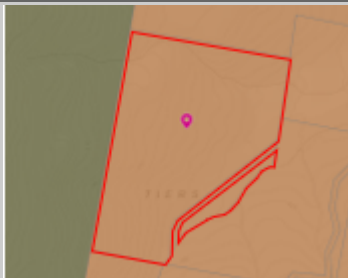

Land was then assessed to establish if it was part of a 'large area'. This was determined by assessing if the land adjoined the World Heritage Area (WHA), or formed part of a larger cluster of sites that collectively were in close proximity/adjoined the WHA. As such these lands are recommended for the Landscape Conservation Zone (LCZ).


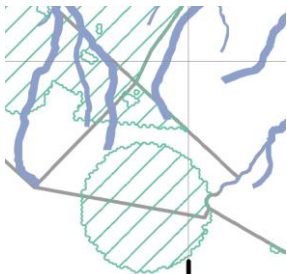



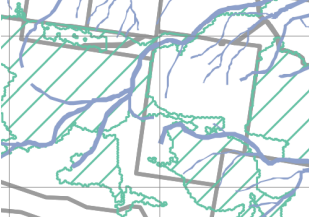
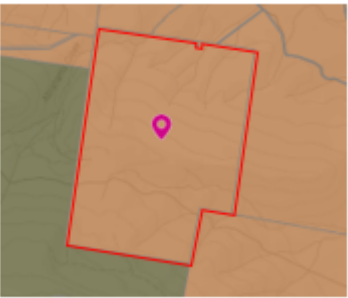
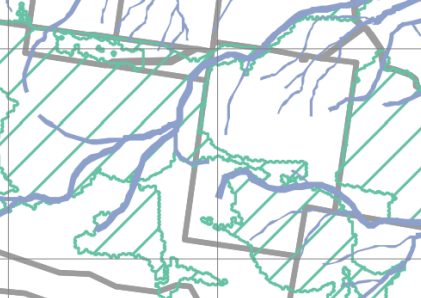
Land that was not identified as suitable for inclusion in the LCZ was then assessed to determine if it was suitable for the Rural Zone (RZ.) Given the special circumstances of the World Heritage Area, land in close proximity to the WHA (or land adjacent to sites identified for LCZ in close proximity to the WHA) was deemed to meet the RZ 'Zone Application Guidelines' by virtue of the unique characteristics of the land in the setting of the WHA, having regard to the coverage of native vegetation/bush land, or the existence of identified natural assets or scenic values (as identified in the NAC and SPC overlays). As such these lands are recommended for the RZ.

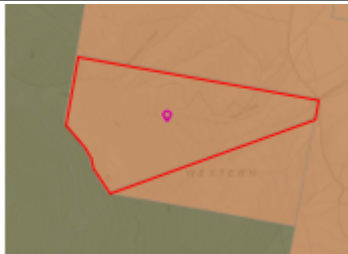
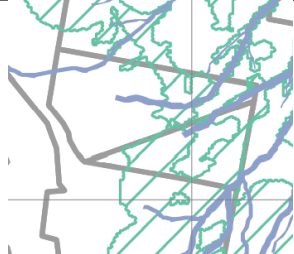
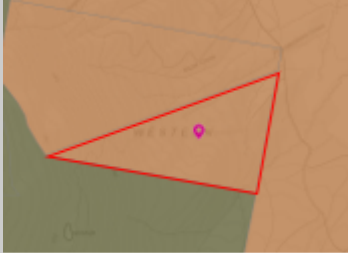
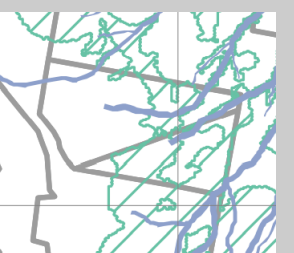

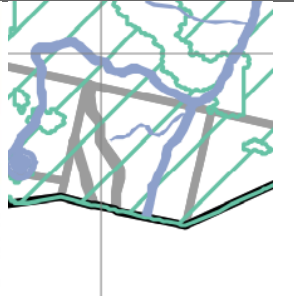
LAND NO	ADDRESS	CERTIFICATE OF TITLE	Tas Veg 4.0 percentage	Natural Values Code Pre-Zoning	Scenic Protection Code	Adjoins World Heritage Area	Note	Recommended Zoning	Site location and coverage of NAC
1	307 Gulf Road, Liffey	200276/1	>80%	>80%	>80%	YES		LCZ as significant bush/native veg coverage and SP Code	 
2	Gulf Road, Liffey	177651/1	<80%	<80%	>80%	YES	Private Timber Reserve	AZ as PTR	 
3	Gulf Road, Liffey	246184/2	<80%	<80%	>80%	YES	Private Reserve (Covenant)	S35F recommends LCZ (covenant and landowner request)	 

4	1777 Liffey Road, Liffey	209589/1	>80%	>80%	>80%	NO	Adjoins land identified in S35F report as recommended to be LCZ	LCZ as significant bush/native veg coverage and SP and NA Code		
5	128 Jones Road	136279/2	<80%	<80%	<80%	NO	Adjoins land identified in S35F report as recommended to be LCZ	RZ as not significant coverage and adjoins land identified for LCZ in close proximity to the WHA.		 
6	Smiths Road, Blackwood Creek	222752/1	>80%	>80%	>80%	YES		LCZ as significant bush/native veg coverage and SP and NA Code		 
7	73 Lawrences Road, Blackwood Creek	216245/1	>80%	>80%	>80%	YES		LCZ as significant bush/native veg coverage and SP and NA Code		 

8	Boons Road, Blackwood Creek	213781/1	>80%	>80%	>80%	NO	Adjoins land identified in this report as recommended for LCZ	LCZ as significant bush/native veg coverage and SP and NA Code			
9	Boons Road, Blackwood Creek	234474/1	<80%	<80%	>80%	YES	Private Timber Reserve	AZ as PTR			
10	Hop Valley Road, Blackwood Creek	157965/1	>80%	<80%	>80%	YES		LCZ as significant bush/native veg coverage and SP Code			
11	Hop Valley Road, Blackwood Creek	210695/1	>80%	<80%	<80%	NO	Adjoins land identified in this report as recommended for LCZ	RZ as significant coverage and adjoins land identified for LCZ in close proximity to the WHA.			

12	Hop Valley Road, Blackwood Creek	201261/1	>80%	<80%	>80%	YES	Private Timber Reserve	AZ as PTR			
13	664 Hop Valley Road, Blackwood Creek	239130/1	>80%	>80%	>80%	YES	Private Timber Reserve	AZ as PTR			
14	Lot 1 Hop Valley Road, Blackwood Creek	49966/1	>80%	>80%	>80%	YES	Private Timber Reserve	AZ as PTR			
15	Poatina Road, Poatina	204293/1	>80%	>80%	>80%	YES		LCZ as significant bush/native veg coverage and SP and NA Code			

16	4792 Poatina Road, Cressy	214285/1	>80%	>80%	>80%	YES		LCZ as significant bush/native veg coverage and SP and NA Code		
17	Poatina Road, Cressy	54087/1	>80%	>80%	>80%	YES		LCZ as significant bush/native veg coverage and SP and NA Code		
18	122 Glen Road, Cressy	145325/1	<80%	>80%	<80%	YES	Private Timber Reserve	AZ as PTR		
19	1278 Lake River Road, Cressy	252139/1	<80%	<80%	<80%	YES		RZ as not significant coverage and adjoins land identified for LCZ in close proximity to the WHA.		

20	Lake River Road, Cressy	208908/1	>80%	<80%	<80%	YES	Private Timber Reserve	AZ as PTR			
21	Lake River Road, Cressy	227118/1	>80%	>80%	<80%	YES		LCZ as significant bush/native veg coverage and NA Code			
22	Lake River Road, Cressy	133943/1	>80%	>80%	>80%	NO	Surrounded by Sustainable Timber Tasmania land (Permanent Timber Production Zone Land) and/or NRE Tas (Future Potential Production Forest) land	RZ as significant coverage and in close proximity to the WHA.			

20 September 2019

Chloe Lynn
Planning and Development Consultant
Commercial Property Delivery
Launceston TAS 7250.

Dear Chloe,

Re: Noise and Dust Assessment – 153-172 Marlborough Street, Longford.



We have completed our assessment of the potential impact of noise and dust from the Austral Bricks brickworks at 15 Weston Street, Longford, on the proposed residential subdivision at 152-172 Marlborough Street, Longford.

The proposed subdivision is located diagonally across the Brickendon Street / Marlborough Street intersection, from the brickworks property. This puts it within the 200m attenuation distance for brickworks, specified in the attenuation code of the Northern Midlands Interim Planning Scheme 2013, triggering the requirement for a noise assessment. The northern portion of the brickworks property is currently in use as pasture for horses, but the possibility exists that the brickworks operation could expand in the future, to utilise all of the block. The brickworks receives bulk clay deliveries and deliveries of bulk sawdust (which is used to fire the kilns) and dispatches palletised bricks. Heavy vehicle access is from Weston Street. The brickworks normally operates from Monday to Saturday, from 6am to 4pm, although operating hours may be extended during busy periods. Vehicle movements also vary seasonally, with more clay deliveries occurring during the summer months. Although most activities at the brickworks cease overnight and on Sundays, the ventilation and other systems associated with the brick kilns, remain operational 24 hours a day, 7 days a week.

Noise

The operation of the brickworks is required to comply with Environmental Protection Notice (EPN) 9568/1, issued to Austral Bricks by the Tasmanian Environmental Protection Agency, 30th May 2017. The EPN prescribes noise emissions limits for the operation. Noise emissions from the plant must not exceed 50 dB(A) between 0700 and 1800 and 45 dB(A) between 1800 and 0700, as measured at nearby noise sensitive premises. The nearest existing noise sensitive premises are residences, located at 214 and 241 Marlborough Street and 361 Cressy Road. These existing houses are all closer to the brickworks than the nearest lot in the proposed subdivision. 45 dB(A) corresponds to the guideline indicator level included in the Tasmanian Environmental Protection Policy (Noise) for avoiding sleep disturbance and 50 dB(A) to the indicator for avoiding “annoyance” for outdoor recreational activities.

A 10 minute long noise measurement was carried out, outside 241 Marlborough Street at 10:49 am on 13th September 2019, to check if the brickworks was meeting the EPN noise emissions limit. The noise measurement was made using a tripod mounted *Rion* NL-42 sound pressure meter. The weather was fine, overcast with a 7-14kmh breeze blowing from the north. Noise from the brickworks fans was audible along with reversing beepers, local and distant traffic noise, noise of the wind blowing in the trees and birds, horses and dogs. The total ambient noise level measured was 57.5 dB(A), expressed as an “Leq”. An Leq can be thought of as the average noise level for a variable noise over a particular time period. This result includes a significant contribution from traffic driving past, close by on Marlborough Street. When the noise peaks corresponding to the vehicle movements were

removed, the result reduced to 49.1 dB(A). It may be concluded that the brickworks was operating in compliance with the EPN at the time of the measurement. Note that even with the noise peaks from individual passing vehicles removed, the measured value still includes a significant contribution from wind noise and more distant traffic. The noise emissions just from the brickworks would be a few decibels lower. A night time measurement was not carried out for this noise assessment, but taking into account the other ambient noise present, this result suggests that the 45 dB(A) night time limit is also being met.

As all of the lots of the proposed subdivision are further away from the brickworks than the measurement position, the EPN limits would be being met at the locations of the proposed new residences. Should Austral Bricks plan to expand their operation onto the northern part of their property, they will need to include noise mitigation measures to ensure that the EPN limits continue to be met at the existing residences. This requirement would be assessed by the EPA as part the approval process for a plant expansion. This would also ensure that the limits would continue to be met at the subdivision's residences.



Figure 1 - Location of the Brickworks and the SW Extent of the Proposed Subdivision (Base image from theList)

Dust

The brickworks has the potential to generate some dust, mostly associated with the truck deliveries of sawdust and clay. The potential impact of these activities on the proposed subdivision is mitigated by a number of factors. These include:

- All vehicle access is via Weston Road, which is on the far side of the brickworks, about 450m from the nearest proposed residence. This separation distant along, with the plant buildings, the trees and other vegetation on the northern side of the plant, provide a barrier to the transmission of dust northward.
- Both sawdust and clay are stored under cover and are only occasionally stored externally when the under-cover storage areas are full.

- Both products have a moisture content, which reduces the tendency for dust generation, compared with completely dry products.
- The finished product storage area, carpark and main access roads are sealed. Onsite gravel roads are kept moist by rainfall or are watered if necessary to suppress dust generation.
- As part of its environmental management procedures, the brickworks actively monitors dust generation from all vehicles or fixed plant operations on site, and takes immediate action to suppress dust generation if and when required.

With these control measures in place, it is considered that dust emissions are highly unlikely to extend beyond the brickworks property boundary and adversely affect the proposed subdivision.

Conclusion

On this basis it may be concluded that residents of the proposed subdivision will not be exposed to unacceptable environmental harm or environmental nuisance, as a result of noise or dust emissions from the brickworks. It may also be concluded that construction of the proposed subdivision will not impose any new compliance burden on the operation of the brickworks, relating to management of noise emissions.

Please do not hesitate to contact me should you have any queries regarding this noise assessment.

Yours sincerely



Douglas Ford CPEng RPEQ 21624
Senior Mechanical Engineer / Noise Specialist