

PLAN 4

PLANNING APPLICATION PLN-20-0224

59 RAEURN ROAD & ACCESS OVER 827, 831 & 833 HOBART ROAD, BREADALBANE

ATTACHMENTS

- A Application & plans
- B Representations

1-209
PLANNING APPLICATION
Proposal

Description of proposal: Change of hours of operation

.....
.....
.....
.....
.....

(attach additional sheets if necessary)

Site address: 59 Reaburn Road, Breadalbane

..... access over 827 831 & 833 Hobart Road, Breadalbane

CT no: 159125/2 157107/1, 144549/1, 166270/1 & 166271/1

Estimated cost of project \$:-.....
(include cost of landscaping, car parks etc for commercial/industrial uses)

Are there any existing buildings on this property? Yes / No
If yes – main building is used as Concrete Batch Plant

If variation to Planning Scheme provisions requested, justification to be provided:

..... See attached cover letter.

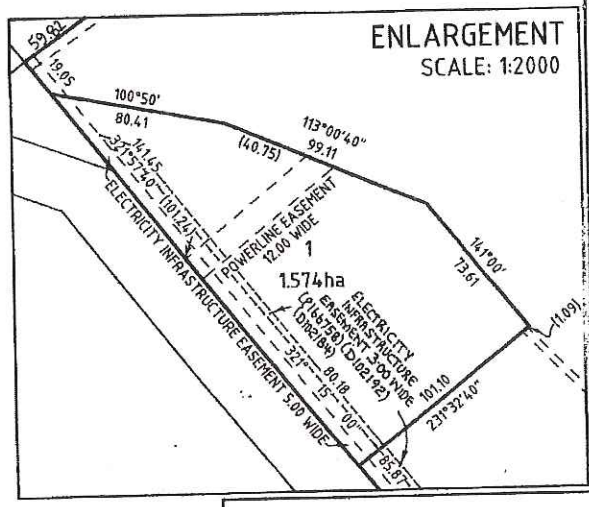
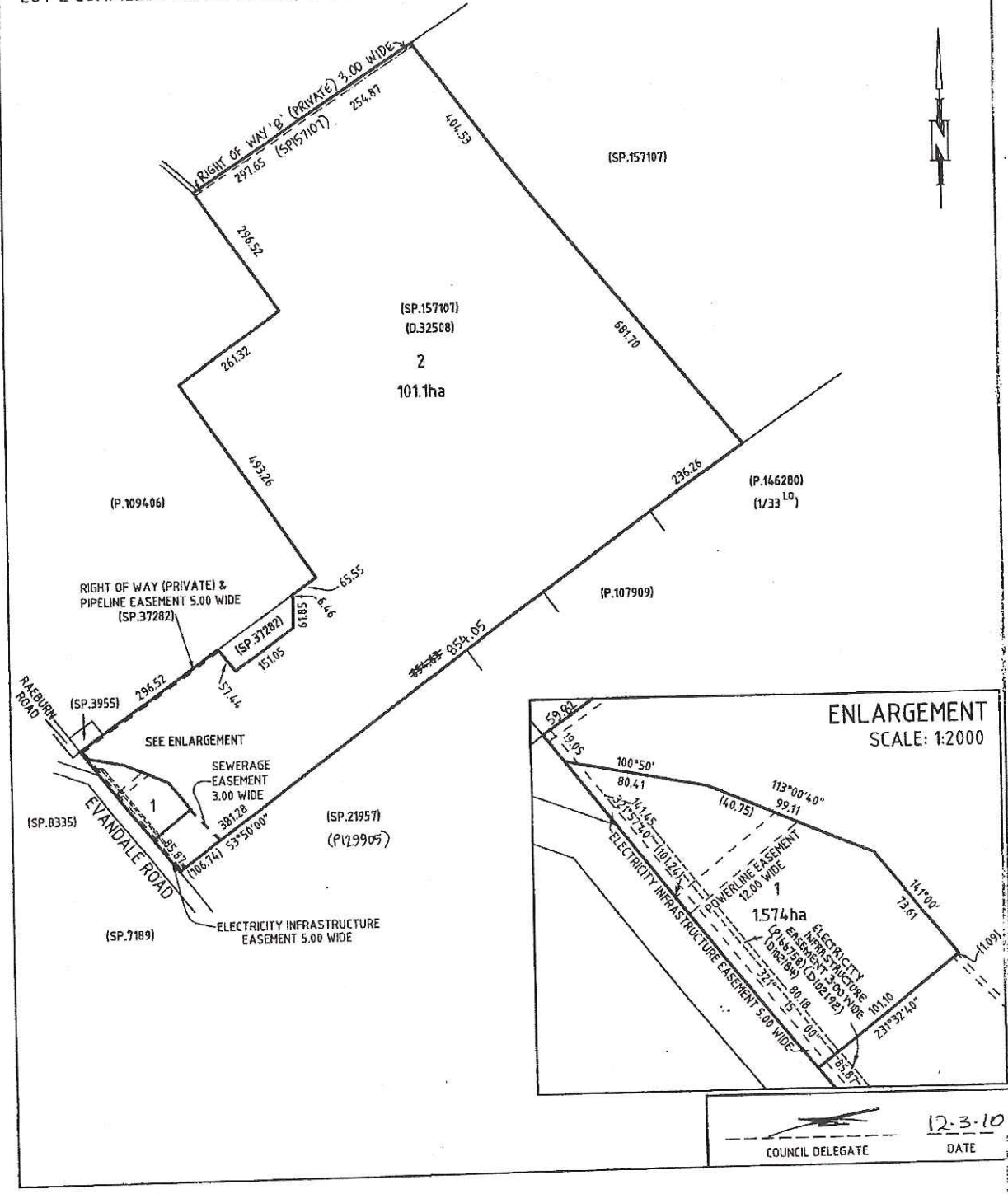
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(attach additional sheets if necessary)

Is any signage required? no
(if yes, provide details)

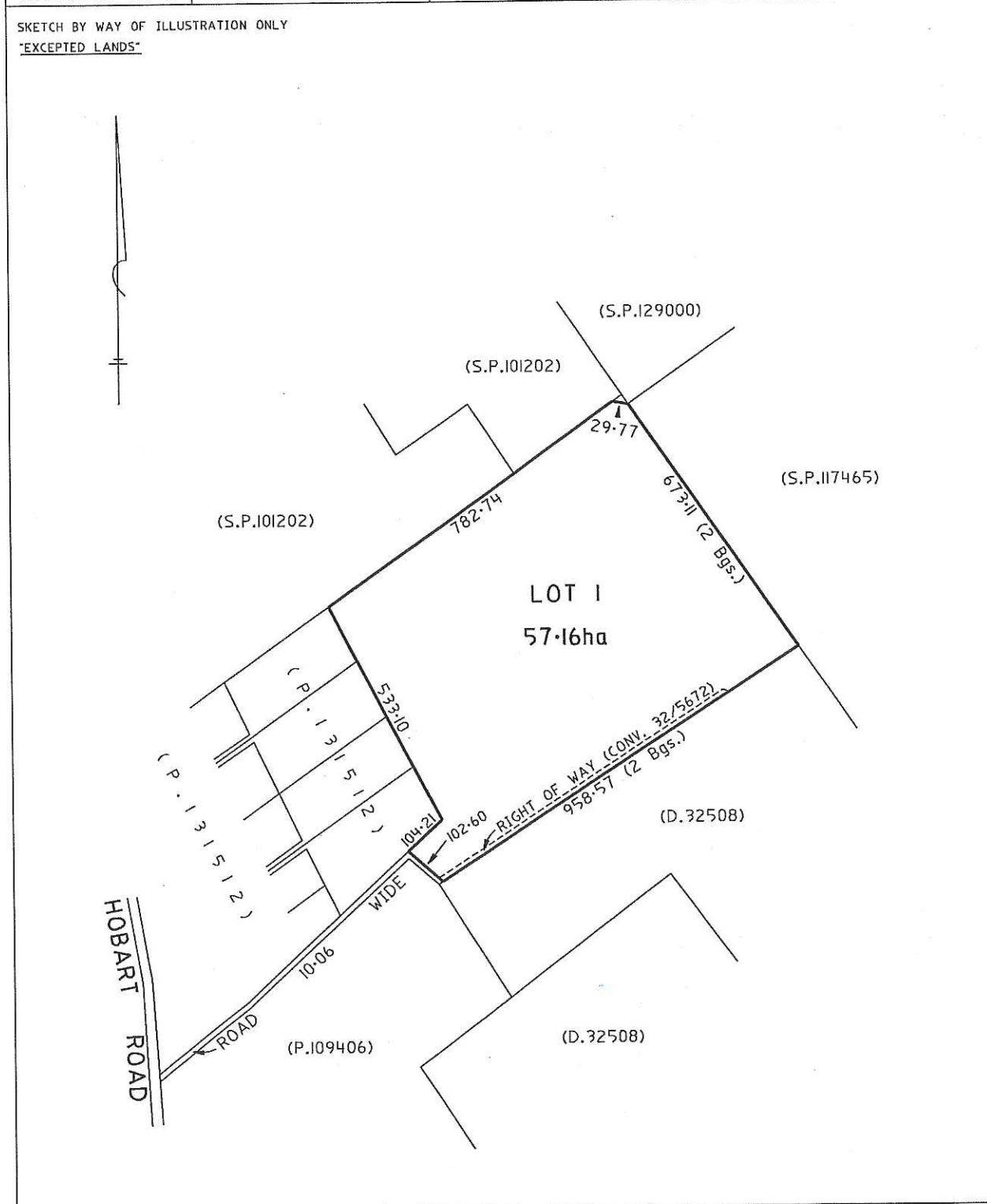
OWNER: A & J GARDNER PTY LTD.		PLAN OF SURVEY		REGISTERED NUMBER SP159125	
FOLIO REFERENCE: CT.157107/2		BY SURVEYOR JOHN WILLIAM DENT of CAMPBELL SMITH PHELPS PEDELEY 3/23 BRISBANE STREET, LAUNCESTON		APPROVED EFFECTIVE FROM - 8 APR 2010 <i>Alice Kawa</i> Recorder of Titles	
GRANTEE: PART OF 584 ACRES GRANTED TO THOMAS SCOTT, WHOLE OF 43 ^A - 0 ^R - 11 ^P LOCATED TO H. MULLENS, WHOLE OF 43 ^A - 1 ^R - 29 ^P LOCATED TO J. DAWSON, WHOLE OF 106 ^A - 1 ^R - 0 ^P GRANTED TO CHARLES FLETCHER HOWARD		LOCATION PARISH OF BREADALBANE DISTRICT OF CORNWALL		SURVEYORS REF: 304-08	
SCALE: 1:7500		LENGTHS IN METRES		ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN	
MAPSHEET MUNICIPAL CODE No. 123 (5040-55)	LAST UPI No. FET03	LAST PLAN No. SP157107			

LOT 2 COMPILED FROM SP.157107, SP.37282 & THIS SURVEY.

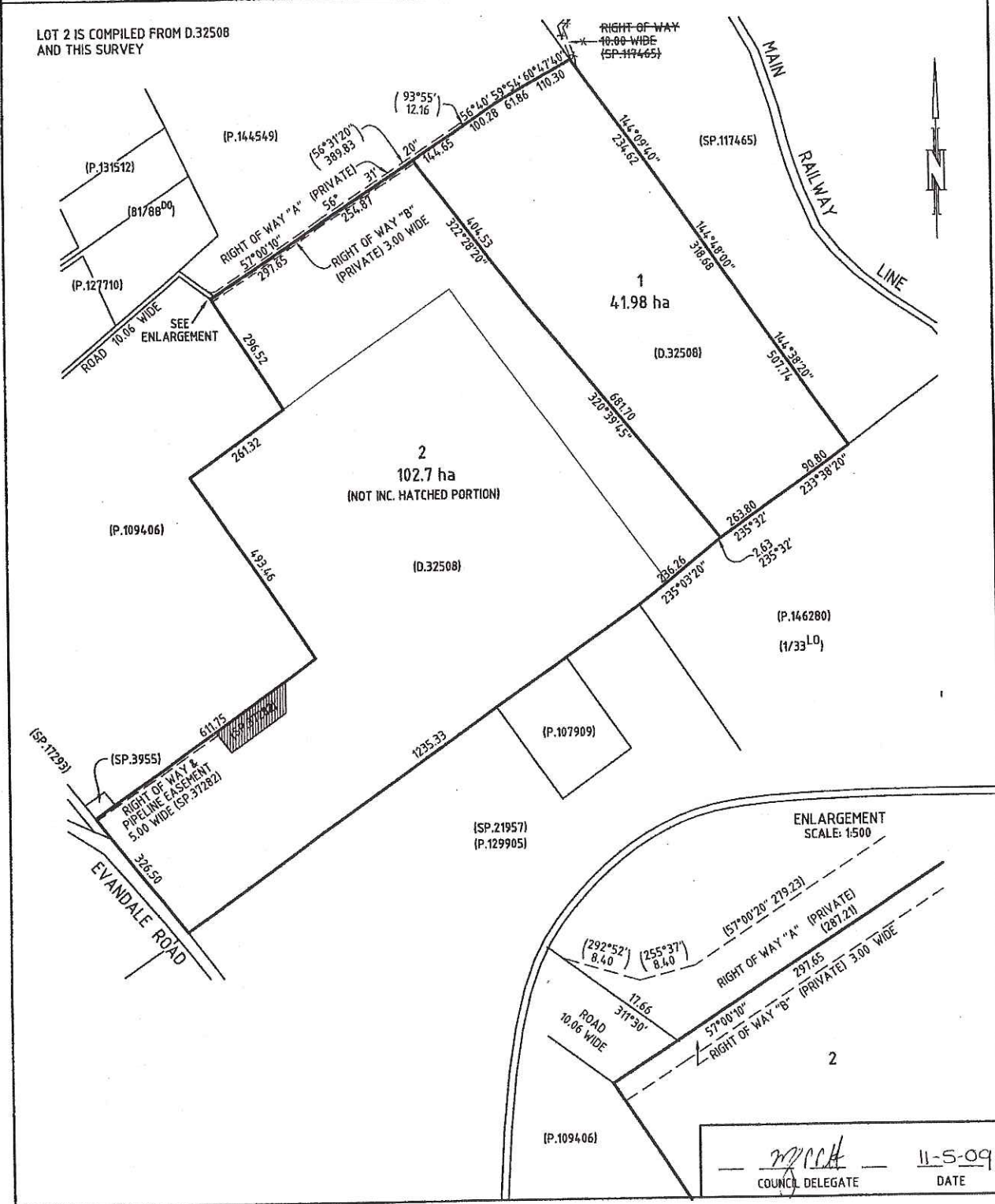


COUNCIL DELEGATE _____ DATE 12-3-10

FILE NUMBER Y20423 GRANTEE PART OF 584 ACRES GTD TO THOMAS SCOTT		CONVERSION PLAN LOCATION CORNWALL - BREADALBANE CONVERTED FROM GL1863 NOT TO SCALE LENGTHS IN METRES		Registered Number P.144549 APPROVED 17 AUG 2005 <i>Alice Kansa</i> Recorder of Titles
MAPSHEET MUNICIPAL CODE No. 123 (5040)	LAST UPI No. 4700014	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN		DRAWN NJD



OWNER: A & J GARDNER PTY LTD		PLAN OF SURVEY		REGISTERED NUMBER SP157107	
FOLIO REFERENCE: CT.32508/1, CT.32508/3		BY SURVEYOR PETER NOEL ANDERSON of CAMPBELL SMITH PHELPS PEDLEY 3/23 BRISBANE STREET, LAUNCESTON		APPROVED EFFECTIVE FROM 25 MAY 2009 <i>Alice Kawa</i> Recorder of Titles	
GRANTEE: PART OF 584 ACRES GRANTED TO THOMAS SCOTT, WHOLE OF 43A-0R-1PS. LOCATED TO H. MULLENS, WHOLE OF 43A-1R-29PS. LOCATED TO J. DAWSON AND PART OF 106A-1R-0PS. GTD. TO CHARLES FLETCHER HOWARD.		LOCATION PARISH OF BREADALBANE DISTRICT OF CORNWALL			
MAPSHEET MUNICIPAL CODE No. 12.3 (5040 - 55)	LAST UPI No FET 03, 4701190	SCALE: 1:8000	LENGTHS IN METRES	SURVEYORS REF: 304-08	ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN
		LAST PLAN No. D.32508			



OWNER: TARA PROPERTY INVESTMENTS PTY LTD

FOLIO REFERENCE: C.T.109406/1

GRANTEE: PART OF 556 ACRES GRANTED TO THOMAS SCOTT.

PLAN OF TITLE



WOOLCOTT SURVEYS
LOCATION: PARISH OF BREADALBANE
LAND DISTRICT OF CORNWALL
CONVERTED BY PLAN No. P.109406
COMPILED BY: WOOLCOTT SURVEYS

NOT TO SCALE LENGTHS IN METRES

Registered Number

P166271

APPROVED 13 AUG 2013

Alice Kawa
Recorder of Titles

MAPSHEET MUNICIPAL Code No. 123 (5040)

LAST UPI No. 4742213

LAST PLAN No. P.109406

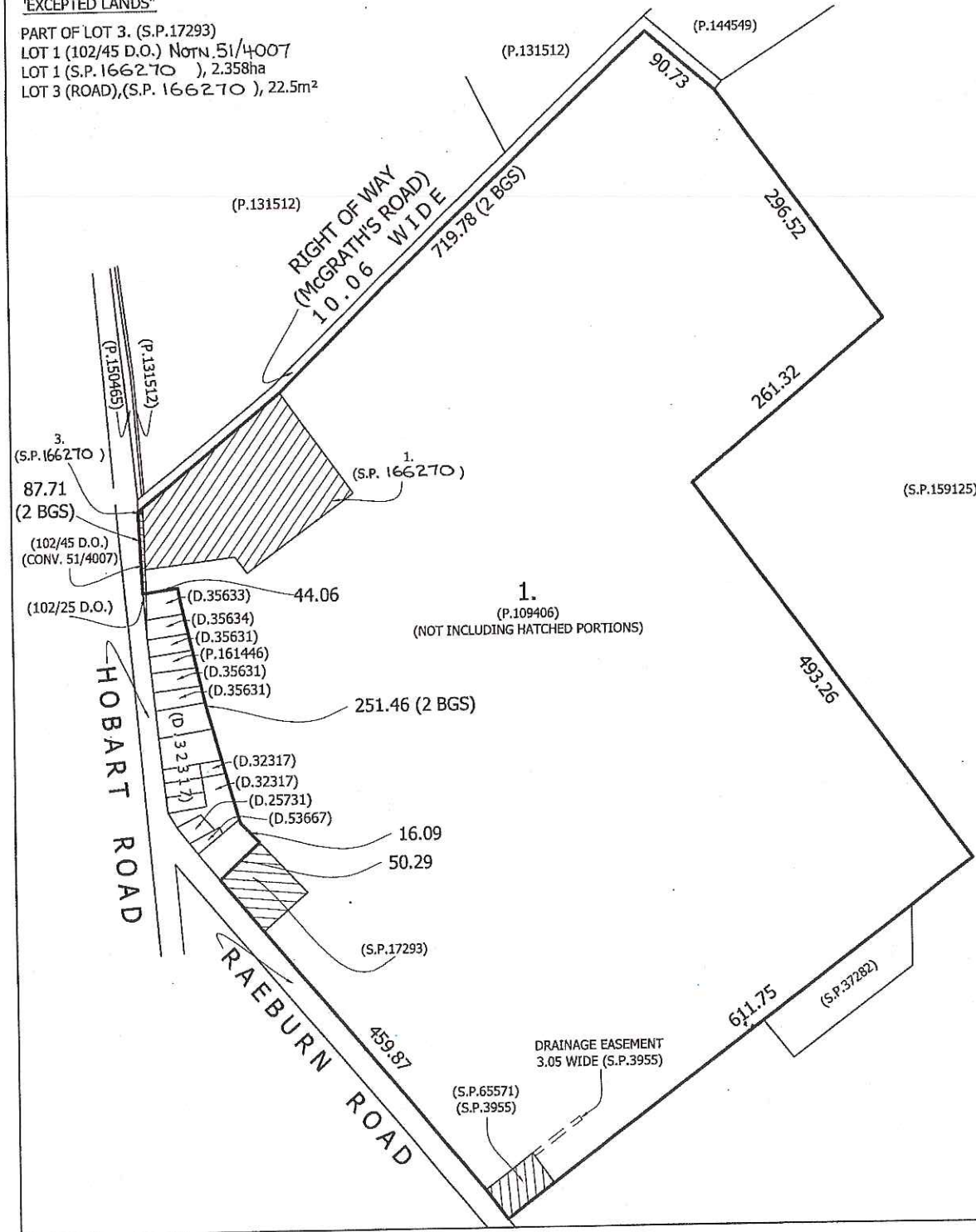
ALL EXISTING SURVEY NUMBERS TO BE CROSS REFERENCED ON THIS PLAN

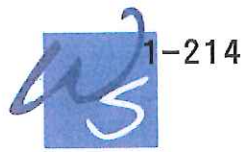
SKETCH BY WAY ILLUSTRATION ONLY

BALANCE PLAN

'EXCEPTED LANDS'

PART OF LOT 3. (S.P.17293)
LOT 1 (102/45 D.O.) Notn. 51/4007
LOT 1 (S.P. 166270), 2.358ha
LOT 3 (ROAD),(S.P. 166270), 22.5m²





WOOLCOTT SURVEYS



Our Ref: L190116

Date 16/09/2020

The Planning Department
Northern Midlands Council
PO Box 156
Longford TAS 7301
By Email: planning@nmc.tas.gov.au

Dear Planning Officers,

**RE: PLANNING APPLICATION – PROPOSED EXTENSION TO HOURS OF OPERATION – 59
RAEBURN ROAD, BREADALBANE**

A planning permit application is made for extended hours of operation for the approved concrete batch plant at the above address.

Background

The subject site is known as 59 Raeburn Road, Breadalbane. The land is currently used as a quarry with a mining lease (ML1874P17) covering the subject site and the adjoining land to the northeast (CT157107/1). The site has a legal access point onto a recently sealed road which connects to Hobart Road.

The subject site is zoned Rural Resource and within the Urban Growth Boundary Overlay.

A planning permit (PLN-19-0034) for the construction of a concrete batch plant and its associated buildings co-located with the quarry was granted a year ago. Under the permit the hours of operation are:

6am to 6pm	Mondays to Fridays
8am to 4pm	Saturdays

The approved hours were agreed based on the discussions with Council, representors and the applicant. The original proposed hours of operation were 5am to 5pm with the flexibility to operate outside the required hours several times a year, which reflected the real demand of concrete or the end products. A supporting letter which states the nature of the business is attached at Annexure 2. The applicant acknowledged the concerns raised from the representors and accepted reduced operating hours, although it was noted that no planning control on the hours of operation was specified under the Scheme.

The applicant is significantly impacted by the economic slowdown caused by the COVID-19 pandemic and would like to seek for the opportunity to extend the hours of operation to capture the business opportunities which require concrete to be produced earlier than the approved hours. There has been an increasing demand of concrete from the local construction industry since Federal government have announced the HomeBuilder stimulus scheme in June. The demand from the construction industry requires concrete to be produced and ready for construction purpose (i.e slab, driveway, landscaping, etc) generally be the first thing in the morning. It is noted that Northern Midland Council have provided a series of community hardship and recovery policies to help local businesses. Previous discussions with Council indicated that Council would be able to consider a temporary permit and allow extended operating hours for the current business till 31 March 2021.

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PO Box 593, Mowbray TAS 7248
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ST HELENS

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PO Box 430, St Helens TAS 7216
P 03 6376 1972

HOBART

Rear Studio, 132 Davey St,
Hobart TAS 7000
P 03 6227 7968

DEVONPORT

2 Piping Lane,
East Devonport TAS 7310
P 03 6332 3760



WOOLCOTT SURVEYS



The proposal

The proposal is seeking to extend the hours of operation as per the permit (PLN-19-0034). Proposed hours of operation are detailed as follows:

4.00am to 6pm Mondays to Fridays
4.00am to 4pm Saturdays

Planning justification

The following clauses of the current zoning are addressed.

26 Rural Resource Zone

26.1.1 Zone Purpose Statements

The relevant zone purpose statements are:

26.1.1.1 *To provide for the sustainable use or development of resources for agriculture, aquaculture, forestry, mining and other primary industries, including opportunities for resource processing.*

Response:

The current development, which contains the quarry and concrete batch plant on the same site, is expected to be a more efficient and sustainably viable business. Such arrangement can directly transfer the aggregate from quarry to the batch plant so that truck movements to and from the subject site will be reduced and off-amenity impact will be minimised. The increased hours for the concrete batch plant will have a flow on effect to the quarry, and thus will increase the amount of material being produced. The proposed change in operating hours will be consistent with the zone purpose statements.

26.1.1.2 *To provide for other use or development that does not constrain or conflict with resource development uses.*

Response:

The concrete batch plant will facilitate the resource development of the quarry. The extended operating time will increase the productivity of the concrete batch plant. The proposed change of operating hours will have no conflict with the quarry and therefore is consistent with the zone purpose statements.

26.1.1.3 *To provide for economic development that is compatible with primary industry, environmental and landscape values.*

Response:

The concrete batch plant is compatible with the extractive industry on site. It is making significant contribution to provide economic benefits to the community as the end products will be used in the local construction industry in response to the increasing concrete demand as a result of the government stimulus. The proposed concrete batch plant will utilise the resource from the quarry and produce end products which is essential to support local construction industry, helping facilitate the construction of road and civil works.

The access road to the subject site has been properly sealed, therefore no additional dust will be generated. The upgraded access road provides a smooth trafficable surface minimising vehicle noise. The extended hours of operation will not increase external truck movements, but rather distribute existing movements over an extended period of time.

Landscaping mounts along southern and western boundaries have been installed which act as buffers to minimise noise and air pollutants. All the lights on site are directed to the plant and equipment only, which minimise light spill to the surrounding properties. Therefore, emissions are minimised.

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No other environmental nuisance, i.e light spill, solar access, glare dispatch of goods and materials, etc would be caused.

The proposed change of operating hours will be consistent with the zone purpose statements.



Figure 1 – site entrance looking east, lights are directed to the plant



Figure 2 – site entrance looking north

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Figure 3- site looking east, batch plant on the left and landscaped mound on the right.



Figure 4- Hobart Road looking east, the access road is properly sealed.

26.1.2 Local Area Objectives

The relevant local area objectives are:

- a) *Primary Industries:*
Resources for primary industries make a significant contribution to the rural economy and primary industry uses are to be protected for long-term sustainability.

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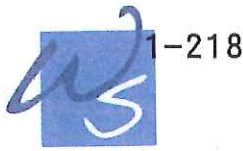
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The prime and non-prime agricultural land resource provides for variable and diverse agricultural and primary industry production which will be protected through individual consideration of the local context.

Processing and services can augment the productivity of primary industries in a locality and are supported where they are related to primary industry uses and the long-term sustainability of the resource is not unduly compromised.

Response:

Having concrete batch plant and quarry on the same site will significantly reduce truck movements and emissions by directly supplying the aggregate from the quarry to the plant. In this way the off-site amenity impacts will be minimised and the long-term sustainability of the resource will be achieved. The proposed change of operating hours will be consistent with the local area objectives.

26.1.3 Desired Future Character Statements

The visual impacts of use and development within the rural landscape are to be minimised such that the effect is not obtrusive.

Response:

The proposed change of operating hours will cause no visual impact. It therefore is consistent with the desired future character statements.

Conclusion

The proposed extended hours of operation for the concrete batch plant will increase the productivity of the plant to support the local construction business during the economic slowdown caused by COVID-19 pandemic. Assessment against the Scheme demonstrated that the proposal is consistent with the zone purpose statements, local area objectives and desired future character statements. In light with the above, the Council's support of this proposal is sought.

Kind regards,
Woolcott Surveys

Yinghuan Liu
Town Planner

Enclosed:

- Application form
- Annexure 1 - folio text & folio plan
- Annexure 2 – supporting letter

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Hazell Bros Group Pty Ltd
ABN 27 088 345 804
14 Farley St Derwent Park TAS 7009
PO Box 430 Moonah TAS 7009
P 03 6277 7888 F 03 6273 4160

14 September 2020

To whom it may concern

We at TAS Construction confirm that from time to time our Construction teams will require concrete supply and delivery from Crossroads' Raeburn Concrete Batch plant outside of normal working hours. The supply required would vary and could be anytime night or day, seven days a week, depending on project requirements.

Kind Regards

A handwritten signature in black ink, appearing to read 'S Vermaak', with a large, sweeping flourish underneath.

Stephanus Vermaak
Construction Commercial Manager
0421 626 247



WOOLCOTT SURVEYS



Our Ref: L190116

Date 21/09/2020

Richard Charles Gardner
Emily Alison Gardner

Annandale 857 Tunbridge Tier Road
Tunbridge TAS 7030

RE: NOTIFICATION OF PLANNING APPLICATION – 59 RAEBURN ROAD, BREADALBANE

Dear Sir/Madam,

I am writing on behalf of A & J Gardner, the land owner of the abovementioned site, and Crossroads Concrete Pty Ltd.

I hereby notify you that a Planning Application (Ref: PLN20-0224) has been lodged to the Northern Midland Council. This notification is made as you are the owner of 827 Hobart Road, Breadalbane TAS 7258, and access to this site is via a private road off Hobart Road which also accesses your land.

If you have any questions regarding this application, please do not hesitate to get in touch on the numbers or email address provided.

Kind Regards,
Woolcott Surveys

Yinghuan Liu
Town Planner

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P 0428 349 479



1-221



WOOLCOTT SURVEYS

Our Ref: L190116

Date 21/09/2020

Tara Property Investments Pty Ltd
Level 1 162 Macquarie Street
Hobart TAS 7000

RE: NOTIFICATION OF PLANNING APPLICATION – 59 RAEBURN ROAD, BREADALBANE

Dear Sir/Madam,

I am writing on behalf of A & J Gardner, the land owner of the abovementioned site, and Crossroads Concrete Pty Ltd.

I hereby notify you that a Planning Application (Ref: PLN20-0224) has been lodged to the Northern Midland Council. This notification is made as you are the owner of 831 Hobart Road, Breadalbane TAS 7258, and access to this site is via a private road off Hobart Road which also accesses your land.

If you have any questions regarding this application, please do not hesitate to get in touch on the numbers or email address provided.

Kind Regards,
Woolcott Surveys

Yinghuan Liu
Town Planner

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WOOLCOTT SURVEYS



Our Ref: L190116

Date 21/09/2020

Mt. Oriel Breadalbane Pty Ltd
833 Hobart Road
Breadalbane TAS 7258

RE: NOTIFICATION OF PLANNING APPLICATION – 59 RAEBURN ROAD, BREADALBANE

Dear Sir/Madam,

I am writing on behalf of A & J Gardner, the land owner of the abovementioned site, and Crossroads Concrete Pty Ltd.

I hereby notify you that a Planning Application (Ref: PLN20-0224) has been lodged to the Northern Midland Council. This notification is made due to access to this site is via a private road off Hobart Road which also accesses your land.

If you have any questions regarding this application, please do not hesitate to get in touch on the numbers or email address provided.

Kind Regards,
Woolcott Surveys

Yinghuan Liu
Town Planner

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www.thelist.tas.gov.au

NORTHERN MIDLANDS COUNCIL

REFERRAL TO:	ENVIRONMENTAL HEALTH OFFICER
Reference no:	PLN-20-0224; 3077898
Site:	59 Raeburn Road & access over 827, 831 & 833 Hobart Road, Breadalbane
Proposed development:	Temporary extension to hours of operation of concrete batch plant (Environmental Impacts and Attenuation Code)
Applicant:	Woolcott Surveys P.O. Box 593 Mowbray Tas 7248
Owner:	Gardner A & J Pty Ltd
Referral date:	24.0.2020
Timeline:	Starting date: 17 September 2020 Advertised on: 26.09.2020 Closing date: 09.10.2020
NMC contact:	Planning@nmc.tas.gov.au
Attachments	Application & plans

Environmental Nuisance – noise/hours

Council's Environmental Health Officer (Chris Wicks) reported that:

Noise and potentially vibration, cannot be ruled out. Noise will be created by truck movements, even though the access road is now sealed, noise occurs from exhaust brakes as vehicles slow to enter the site and when trucks enter the site there is a change in the road surface causing a significant bang from some vehicles. The extent to which noise may affect neighbouring residences is not possible to estimate without an assessment being undertaken by a suitably qualified engineer. Therefore, Council may wish to consider engaging an engineer to undertake an assessment.

Chris Wicks

email to EHO as:

Referral to EHO - PLN-20-0224, 59 Raeburn Road & access over 827, 831 & 833 Hobart Road, Breadalbane

The General Manager
Northern Midlands Council
PO Box 156,
Longford, TAS 7301
planning@nmc.tas.gov.au

5 October 2020

Dear Sirs,

RE: PLN-20-0224 CONCRETE BATCH PLANT, 59 RAEBURN ROAD. BREADLABANE PROPSOED
EXTENSION OF HOURS

We write in vehement objection to the above application.

The proponent seeks to expand the operating hours of the plant and by default the truck movements in and out of the site.

We make the following comments on the application:

1. The EPA approved operating hours are 7am-7pm Monday -Friday and 8am-4pm Saturdays. No operations can occur on Sundays or Tasmanian state-wide public holidays. The council has already expanded these operation times with the original application. – No further expansion should be permitted. Temporary or otherwise. (noting the original application sort 24/7 operation)
2. Whilst we objected to the original application it was largely on the truck access. Our argument was, there was no justification or supporting information adequately provided to support the impact of the additional trucks on the surrounding residents. The proponent's submission was accepted on face value by council. This application again states there will be no increase in traffic movements. This is just a baseless claim and is completely misleading. The reality is there has been a considerable increase in truck movement in and out of the site, and well above those indicated in the original application (and again implied in this application). The additional truck movements have and continues to affect our amenity and we are constantly awakened by trucks before the current permitted operating times
3. We currently have trucks accessing the site well before the 6am. We have been woken up by trucks parked along Hobart Road with drivers talking on the side of the road. At 5am the noise carries (to the point where we thought we had people in our yard)
4. The owners of 847 Hobart Road for their application for a dwelling were required to provide an environmental report supporting their application. As part of this report it noted that there was approx. 1 vehicle movement a minute during 1.30-2.30pm. (Noting this is the quietest period for truck movements.) This same report noted the greatest environmental nuisance was from the truck movements. Furthermore, the report recommended that EPA/council ensure truck

accessing the site be limited to day light hours (8am to 5pm). This independent report confirms our concerns and agree the time frames would be more appropriate.

Our concerns are not with the operation of the plant, but the serve impact on our amenity from the truck movements in and out of the site. Despite the proponent stating there will be a decrease movement of trucks, the facts remain that we are being exposed to considerably more trucks than prior to the plant being constructed. We are currently woken prior to 5.30 by trucks and any increase in the access will mean that we will be exposed to this environmental nuisance for a longer and greater frequency.

I trust council will take due consideration and reject this proposal.

Yours Sincerely



Heath and Trish Clayton

832 Hobart Road
Breadalbane, TAS. 7258

7 October 2019

Mr Des Jennings
General Manager
Northern Midlands Council
By Email: council@nmc.tas.gov.au

Dear Des,

**Representation - PLN-20-0224 - Temporary extension to hours of operation of concrete batch plan
(Environmental Impacts and Attenuation Code)**

We write in objection to PLN-20-0224 which seeks approval to extend the operating hours of the concrete batch plant approved by PLN-19-0034. The particulars of our grounds of objection are detailed below.

1. Contrary to the position submitted by the applicant for development application PLN-19-0034, Council, in planning report PLAN 2 included in the Agenda for the Ordinary Meeting held 15 April 2019, correctly categorised the use of the concrete batch plant as 'Discretionary' under Table 26.2 of the *Northern Midlands Interim Planning Scheme 2013* ("the Scheme") on the basis that the concrete batch plant was deemed ancillary to the established Extractive industry (quarry) use which is a Level 2 Activity (EPA Permit No. 8046).

For the same reason, PLN-20-0224 is 'Discretionary' under Table 26.2.

Clause 26.3.1 P4 (a) requires discretionary uses to demonstrate that emissions generated by the activity are not likely to cause an environmental nuisance. The *Environmental Management and Pollution Control Act 1994* (EMPCA) defines the term 'environmental nuisance' as:

- (a) *the emission, discharge, depositing or disturbance of a pollutant that unreasonably interferes with, or is likely to unreasonably interfere with, a person's enjoyment of the environment; and*
- (b) *any emission, discharge, depositing or disturbance specified in an environment protection policy to be an environmental nuisance.*

Clause 7.5.4 of the Scheme leads Council to consider the relevant objective in an applicable standard to assist them in determining whether a particular use or development complies with any performance criterion that is invoked by that standard.

Objective (e) of standard 26.3.1 states:

Uses are suitable within the context of the locality and do not create an unreasonable adverse impact on existing sensitive uses or local infrastructure.

Accordingly, Clause 26.3.1 P4 (a) should be considered within the context of Objective (e) of standard 26.3.1 in determining compliance with the clause.

A residential use is a sensitive use. There are three separate residential uses located within 350m and seven within 500m of the concrete batch plant to the north-west and several other residential uses located in close proximity to the road off Hobart Road that is used by concrete trucks.

Our family lives at 803 Hobart Road and we operate our pet crematorium and dog kennel from 805 Hobart Road which involves a managers residence, and a separate single dwelling located on the same lot. We are able hear all audible activities that occur at the concrete batch plant from the time it commences operation at 6:00am on weekdays and 8:00am Saturdays. These operating hours do not interfere with our amenity because our family is typically up at or around 6:00am. Conversely, our family is asleep between 4:00am and 6:00am.

We are therefore able to confirm that noise emissions generated by the operation of the concrete batch plant will cause an environmental nuisance in terms of unreasonably interfering with our amenity during earlier operating hours. Compliance with clause 26.3.1 P4 (a) is unable to be achieved on this basis and the application must be refused pursuant to clause 8.9.1 (c) of the Scheme.

2. The application, as advertised, is deficient in information that allows Council to make an informed decision against clause 26.3.1 P4 (a).
3. The description of the advertisement indicates that discretion is invoked under the Environmental Impacts and Attenuation Code ("the Code") of the Scheme. It is observed that the planning report for PLN-19-0034 determined that the Code was not applicable and yet it has been determined to be applicable for PLN-20-0224 even though nothing has changed between the two application except for the proposed operating hours.

It is our opinion that the Code does apply, and should have applied to PLN-19-0034, on the basis that the use is located within 100m of a boundary to a lot that contains a sensitive use being 831 Hobart Road.

The proposal does not comply with acceptable solution E11.6.1 A2 and therefore relies on the corresponding performance criteria. The performance criteria requires a site specific study to be prepared which means:

...an environmental impact assessment carried out by a suitably qualified person in accordance with s. 74 *Environmental Management and Pollution Control Act 1994*.

The application, as advertised, does not include a site specific study.

4. The description contained in the advertisement is misleading. It indicates that the extended operating hours will be temporary yet the information contained within the application suggests that the extended operating hours will be permanent. Is council considering imposing permit conditions restricting the period in which the extended operating hours can occur? If so, what are they and how will they be enforced?

In any event, even if the extended operating hours are to be temporary only, this does not negate the requirement for the proposal to demonstrate compliance with clauses 26.3.1 P4 (a) and E11.6.1 P2

In conclusion, we are of the opinion that the proposed extension to the operating hours of the concrete batch plant will have significant and irreversible impacts upon our residential amenity and the amenity of nearby residential uses. The extended operating hours will affect enjoyment of our environment that is currently experienced during the times that the concrete batch plant does not operate. It will therefore cause an environmental nuisance and the proposal must be refused on the basis that the application does not demonstrate compliance with clause 26.3.1 P4 (a). Further, clause E11.6.1 P2 is not met on the basis that a site specific study has not been provided which is a mandatory requirement of the clause.

Please feel free to contact me should wish to discuss any aspect of our representation.

Yours Sincerely

Michael and Anna Henry
803 & 805 Hobart Road, Breadalbane

NP & LD Westgarth
852 Hobart rd
Breadalbane tas. 7258

Dear Sir/Madam

We wish to object to PLN-20-0224 Temporary extension of hours of operation of the concrete batch plant, on the grounds that this will cause my wife and myself disturbance and loss of sleep. Not in the operation of the concrete plant, but the heavy transport trucks that carry the product from the plant. We expect that we will have the same rights as you would, in relation to heavy trucks passing our home. Many of the trucks are maintained with operators that have consideration for our small community. Unfortunately other contract drivers may not earn enough money to keep their trucks well maintained this may effect exhaust noise which is excessive. Many of these drivers, drive hard and a common issue for us is the use of exhaust brakes past our home. There is a sign before our town of Breadalbane, -Residential area avoid using exhaust brakes. This has not satisfactorily worked since there is only 1 sign erected Launceston side of Breadalbane. We find this very inconsiderate of these drivers thus why we object to the temporary extension of hour of operations. NP has a history of heavy vehicles as operator and works co-ordination so has knowledge of these truck issues and misconduct. We live in a cottage which is close to the road and sleep at the front of the house and often hear the drivers stopped and talking as early as 3 to 3.30 am. This is unacceptable as LD is a shift worker and effects our sleep pattern. In another addition we believe, if temporarily acceptance of operations extended hours this will be considered further down the path as an opening for permanent extended hours. This would be an annoyance and a disturbance to ourselves and our town community, We all have civil rights and responsibilities to live stress free lives and peace and quiet. Please take our objection in to consideration as we live here for the peace and quiet, and are rate payers to Northern Midlands council.

NP & LD Westgarth 07/10/2020

Rosemary Jones

From: Etienne Vos <...@ngp.com>
Sent: Friday, 9 October 2020 11:37 AM
To: NMC Planning
Subject: Concrete Batch Plant Early Start Request
Attachments: PLN-20-0224_public_exhibition_documents.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

The Planning Department
 Northern Midlands Council

Dear Planners

I objected to the building of the concrete batch plant originally but you took no notice. You gave them the go ahead. And for good measure they did what they promised not to do. There were to be no works on the right hand side of the tree line viewed from Hobart road, and there are. The bund was and still is a total farce.

You gave them an inch and they took a yard - and hoped to goodness that no one would complain. Have you told them to remove that building on the right hand side of the trees yet? Or are the rates and taxes they pay more important than my wishes? If you don't care about me, why should I pay my rates - just add them to the CBP rates?

Now they are there and established - against my wish - and they are trying the same stunt again.

They want to operate longer hours FOR THE NEXT SIX MONTHS straight!

If I agree to it, they will never ever return to their current time limitations again.

This is the thin edge of the wedge. If we allow it now, we will have to allow it again.

And I will be the one to suffer, not you.

I doubt there is one person in the council who will be affected by the early hours and noise, so for you to give them permission is no skin off your nose.

And though I don't severely object to them starting early now and again, to agree to 4.00am starts for 6 day out of 7 for the next six months, would be to agree to a rope around my neck. And if they get busier, they will never revert to their current time constraints again.

Sorry, it's a NO. I have to refuse on principle. I don't want them to start at 4.00am for the rest of my life.

SO NO. YOU DO NOT HAVE MY PERMISSION.

If you go against me and give them permission as you did before, just make sure you give me every one of your mobile phone numbers so that I can phone you at 4.00am every morning for the next 160 days.

I doubt you would agree to this.

And no, I don't agree either.

The CBP could just as easily ask for the home builder stimulus scheme to be extended so that there is not a rush on the demand for concrete. Have they done this yet?

You gave them permission to build the batch plant here, now it is your responsibility to repair the fallout.

26.1.1.1- increased hours, increased quarry workings, increased truck movements = increased noise. But no mention of neighbours or noise at all!

[26.1.1.2](#) - increased productivity causes no conflict with the quarry. What about conflict with the neighbours??

[26.1.1.3](#) - extended hours will not increase truck movement - who are they kidding??

[26.1.1.3](#) - the landscaping bunds are a farce. The picture is taken standing right next to the bund - see figure 3, looking East. But the ground height of the operating plant rises to the left by several metres so that the "height" of the bund is in fact meaningless. The increase in height can be clearly seen in figure 2, looking North. It does NOT act as a buffer to minimise noise. The lights are directed at "the plant and equipment only". These lights both reflect off the plant and equipment and OVER THE TOP of the bund right into my window!

They make their response sound so good. They promise that no other "environmental nuisance i.e. light spill, glare, etc would be caused. This is NOT TRUE.

26.1.2 – the increased hours of operation will be consistent with their "local area objectives", but not with their neighbours who get no consideration whatsoever.

The letter signed by Stephanus Vermaak says it all – "the supply required .. could be ANYTIME, DAY OR NIGHT, SEVEN DAYS A WEEK"!

No, NMC, NO !

Regards

Etienne Vos

Rosemary Jones

From: Kaylene Challis
Sent: Friday, 9 October 2020 10:29 AM
To: NMC Planning
Subject: Representation - PLN-20-0224

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Mr Des Jennings
General Manager
Northern Midlands Council
By Email: council@nmc.tas.gov.au

Dear Des,

Representation - PLN-20-0224 - Temporary extension to hours of operation of concrete batch plant (Environmental Impacts and Attenuation Code.

We write in objection to PLN-20-0224 which seeks approval to extend the operating hours of the concrete batch plant approved by PLN-19-0034. The particulars of our grounds of objection are detailed below.

We live directly opposite this site and although our objections to the start of this project were ignored, we hope that you listen to all objections of this application for extended hours.

The trucks drive straight past our bedroom window and our daughters window which are facing Hobart road, the noise at this hour of the suggested new start times of 4am 5 days a week. Please also see below points.

1. Hours of operation are currently not being complied to and seemingly unmonitored;
2. Our ease of living has been greatly compromised by the current activity and would be even more so should this new application be approved;
3. Australian standards and legislation needs to be adhered to in relation to noise from their and associated activity and the obtrusive effects of lighting due to the failed bund.
4. The compromise to our general health in regards to environmental nuisance and harm; and
5. The failure of the operator to comply with visibility aspect of their application to protect neighbouring properties.

Kind regards

Kay and Mick Challis
843 Hobart road,
Breadalbane

Sent from my HUAWEI P30 Pro on the Telstra Mobile Network