

TASMANIAN PLANNING COMMISSION



DECISION

Local Provisions Schedule Brighton

Date of decision 1 February 2021

Under section 35K(1)(a) of *Land Use Planning and Approvals Act 1993* (the Act), the Commission directs the planning authority to modify the draft LPS in accordance with the notice at Attachment 2.

When the directed modifications have been undertaken under section 35K(2), the Commission is satisfied that the LPS meets the LPS criteria and is in order for approval under section 35L(1).

Roger Howlett
Delegate (Chair)

Claire Hynes
Delegate

Disclosure statement

Claire Hynes, a Commission delegate considering the draft Brighton LPS, disclosed at the hearing held on 15 November 2019 her interest in representation 31 as having a close relationship with Emma Riley, ERA Planning acting for Cooltrans Pty Ltd. The representor and the planning authority were content for her to decide the matter, and no other submissions were made.

REASONS FOR DECISION

Background

The Brighton Planning Authority (the planning authority) exhibited the Brighton draft Local Provisions Schedule (the originally exhibited draft LPS), under section 35D of *Land Use Planning and Approvals Act 1993* (the Act) from 8 April until 11 June 2019.

On 26 September 2019, the planning authority provided the Commission with a report under section 35F(1) into the 39 representations received on the originally exhibited draft LPS. A list of representations is at Attachment 1.

The Commission must hold a hearing in relation to representations to a draft LPS under section 35H of the Act.

On 26 February 2020 the Commission decided under section 35K(1)(c) of the *Land Use Planning and Approvals Act 1993*, to reject the originally exhibited draft LPS, and direct the planning authority to substantially modify parts of the originally exhibited draft LPS. The Commission's decisions on representations and reasons to substantially modify parts of the Brighton draft LPS are separately published¹.

Section 35K(4) of the Act requires that the substantially modified part of the draft LPS is applied the same process of exhibition, reporting by the planning authority and consideration by the Commission as a draft LPS.

The planning authority exhibited the Brighton draft LPS substantially modified part, under section 35D of the Act, from 13 July until 11 September 2020.

On 19 October 2020 the planning authority provided the Commission with a report under section 35F(1) into the 4 representations received on the Brighton draft LPS substantially modified part. A list of representations is at Attachment 1.

The Commission must hold a hearing in relation to representations to the Brighton draft LPS substantially modified part under section 35H of the Act.

Date and place of hearing

A directions hearing was held in relation to the originally exhibited Brighton draft LPS at the Commission's office at Level 3, 144 Macquarie Street, Hobart on 18 October 2019.

A hearing was held in relation to the originally exhibited Brighton draft LPS at the Commission's office at Level 3, 144 Macquarie Street, Hobart on 14, 15, 19 and 20 November 2019.

A hearing was held in relation to the Brighton draft LPS substantially modified part at the Commission's office at Level 3, 144 Macquarie Street, Hobart on 12 November 2020.

¹ The decision and reasons to substantially modify part of the Brighton draft LPS made on 26 February 2020 has been published on the Tasmanian Planning Commission website. Recent decisions can be viewed on the Tasmanian Planning Commission website, under the current assessment and hearings listings. Past decisions can be viewed on the Austlii website.

Consideration of the draft LPS

1. Under section 35J(1) of the Act the Commission must consider:
 - the planning authority section 35F(1) report and the draft LPS to which it relates;
 - the information obtained at the hearings;
 - whether it is satisfied that the draft LPS meets the LPS criteria under section 34; and
 - whether modifications ought to be made to the draft LPS.
2. Under section 35J(2) of the Act the Commission may also consider whether there are any matters that relate to issues of a technical nature or may be relevant to the implementation of the LPS if the LPS were approved.
3. The LPS criteria to be met by the draft LPS are:
 - (a) contains all the provisions that the SPPs specify must be contained in an LPS;
 - (b) is in accordance with section 32 of the Act;
 - (c) furthers the objectives set out in Schedule 1 of the Act;
 - (d) is consistent with each State policy;
 - (e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates;
 - (f) has regard to the strategic plan, prepared under section 66 of the *Local Government Act 1993*, that applies in relation to the land to which the relevant planning instrument relates;
 - (g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and
 - (h) has regard to the safety requirements set out in the standards prescribed under the *Gas Pipelines Act 2000*.
4. The relevant regional land use strategy is the Southern Tasmania Regional Land Use Strategy 2010-2035 (regional strategy).
5. In addition to the LPS criteria, the Commission has considered Guideline No. 1 – Local Provisions Schedule (LPS): zone and code application (Guideline No. 1) issued under section 8A of the Act.
6. The requirements for making modifications to the draft LPS are set out under section 35K of the Act. The modifications can be broadly categorised as modifications [section 35K(1)(a) and (b)] or substantial modifications [section 35K(1)(c)(ii)].
7. The Commission may also reject the draft LPS and request that the planning authority prepare a substitute [section 35K(c)(i)].
8. Section 35K(4) sets out the process for consideration of the draft LPS substantially modified part.
9. According to 35K(4)(b), once the process of the draft LPS substantially modified part is concluded, the substantially modified part is to be treated as part of the originally exhibited draft LPS.
10. Where the Commission has determined modifications ought be made, these are set out in a notice under 35K(1)(a) of the Act (see Attachment 2).

11. The decisions on representations to the originally exhibited draft LPS and on representations to the Brighton draft LPS substantially modified part as a result of the Commission's consideration of each under section 35J of the Act are set out below.

Issues raised in the representations

Rural Zone - Elderslie and Fergusson Roads, Brighton

Representations to originally exhibited draft LPS: WW TAS Pty Ltd (1), Robyn Whelan for Twelve Stones Pty Ltd (9), Michael Whelan (17), Jessica Whelan (26), and Bruce Whelan (36)

12. The representors requested the land comprising the entire area along Elderslie Road heading west from Fergusson Road, Brighton and in particular their land at Elderslie Road, Brighton (FR 175792/1, 175792/2 and 175792/3) be revised from the Agriculture Zone to the Rural Zone.
13. The reasons include:
 - the area is constrained for agricultural use and unsuitable for intensive agriculture; and
 - their land at Elderslie Road, Brighton (FR 175792/1, 175792/2 and 175792/3) is the most significantly constrained in the area, characterised by sloping topography, high clay content soil and presence of rock.
14. In the section 35F report, the planning authority recommended the land remain in the Agriculture Zone.
15. The planning authority submitted that agricultural consultants, AK Consultants provided a specific assessment of the land and recommended it be zoned Agriculture. The planning authority stated the zone application requirements of Guideline No.1 for the Agriculture Zone and the Rural Zone were considered appropriately in their assessment.
16. The planning authority recommended no change to the proposed zoning, and provided a further submission including:
 - the land is identified as unconstrained in the Land Potentially Suitable for Agriculture Zone layer published on theLIST, noting this analysis was undertaken prior to the land being subdivided into three lots;
 - although there has been recent subdivision in the area, including the three lot subdivision of the representor's land, detailed site specific agricultural assessments have been prepared, concluding smaller lots would facilitate more intensive agricultural or horticultural use of the land for intensive operations;
 - the land along Elderslie Road is in the same ownership so may be consolidated into a larger farming unit;
 - the Agriculture Zone is supported according to AZ3 of Guideline No.1; and
 - Brighton Council is undertaking a specialist agricultural review of the entire Brighton West area in response to opposing pressure for agriculture or dwelling development, and this is not complete.

Commission consideration

17. The Commission notes the land is currently zoned Significant Agriculture in the interim planning scheme and the land is unconstrained in Land Potentially Suitable for Agriculture Zone mapping. It also notes the review process being undertaken by Brighton Council of the Brighton west area has not concluded.

18. No further evidence relating to consideration of AZ6 of Guideline No.1 was submitted that supported an alternate zoning to the Agriculture Zone for the representors' land or the surrounding area.
19. The Commission accepts the planning authority's reasons and conclusion that the application of the Agriculture Zone is as far as practicable consistent with AZ2 of Guideline No.1.

Commission decision

20. The Commission considers that no modifications are required.

Rural Zone - 20 Dokdo Rise, Honeywood

Representations to originally exhibited draft LPS: JMG Engineers and Planners for Dong and Young Pty Ltd (25)

21. In response to the representations to the originally exhibited draft LPS, the Commission directed substantial modifications².
22. In the exhibited Brighton draft LPS substantially modified part, this matter is referred to as: 2) 20 Dokdo Rise and 530B Baskerville Rd, Honeywood.

Representations to substantially modified part

23. No representations were received.

Commission consideration of substantially modified part

24. As there were no representations the Commission considers the substantially modified part is appropriate.

Commission decision on substantially modified part

25. The Commission considers that no modifications are required to the substantially modified part. Therefore, modification to the originally exhibited draft LPS is:
 - revise the zoning of 20 Dokdo Rise, Honeywood to the Rural Zone, as set out in Attachment 2;
 - apply the priority vegetation area overlay to 20 Dokdo Rise, Honeywood, as shown in the map on page 6 of the planning authority's further submission of 7 November 2019, as set out in Attachment 2;
 - revise the zoning of 530B Baskerville Road, Honeywood to the Rural Zone, as set out in Attachment 2; and
 - apply the priority vegetation area overlay to 530B Baskerville Road, Honeywood, as shown in the map on page 6 of the planning authority's further submission of 7 November 2019, as set out in Attachment 2.
26. Reason: To apply the Agriculture Zone and the Landscape Conservation Zone consistent with Guideline No. 1.

² The decision and reasons to substantially modify part of the Brighton draft LPS made on 26 February 2020 has been published on the Tasmanian Planning Commission website. Recent decisions can be viewed on the Tasmanian Planning Commission website, under the current assessment and hearings listings. Past decisions can be viewed on the Austlii website.

- To apply the priority vegetation area overlay consistent with Guideline No. 1.
- To apply zoning at boundaries consistent with Practice Note 7 - Draft LPS mapping: technical advice.

Agriculture Zone – part of 232 Boyer Road, Bridgewater

Representation to originally exhibited draft LPS: Shan and Debbie Chaplin (8)

27. In response to the representations to the originally exhibited draft LPS, the Commission directed substantial modifications³.
28. In the exhibited Brighton draft LPS substantially modified part this matter is referred to as: 3) 232 and 246 Boyer Road, Bridgewater (folios of the Register 172452/2 and 169759/1) and 31 Cobbs Hill Road, Bridgewater (folio of the Register 152364/2)

Representations to substantially modified part

29. No representations were received.

Commission consideration of substantially modified part

30. As there were no representations, the Commission considers the substantially modified part is appropriate.

Commission decision on substantially modified part

31. The Commission considers that no modifications are required to the substantially modified part.
32. Therefore, modification to the originally exhibited draft LPS is:
 - revise the zone boundary between the Agriculture Zone and the Landscape Conservation Zone at 232 and 246 Boyer Road, Bridgewater (folios of the Register 172452/2 and 169759/1) so that the zone boundary aligns with the area of the conservation covenant registered on the titles, including the area of the pipeline easement shown on the conservation covenant in the Landscape Conservation Zone, as shown in the map on page 7 of the planning authority's further submission of 7 November 2019, and annotate the split zone boundary consistent with the Commission's Practice Note 7 – Draft LPS mapping: technical advice, as set out in Attachment 2;
 - revise the zone boundary between the Agriculture Zone and the Landscape Conservation Zone at 31 Cobbs Hill Road, Bridgewater (folio of the Register 152364/2) so that the zone boundary aligns with the area of the conservation covenant registered on the titles, as shown in the map on page 7 of the planning authority's further submission of 7 November 2019, as set out in Attachment 2;
 - delete the priority vegetation area overlay from part of 232 and 246 Boyer Road, Bridgewater where the revised Agriculture Zone applies, as set out in Attachment 2; and

³ The decision and reasons to substantially modify part of the Brighton draft LPS made on 26 February 2020 has been published on the Tasmanian Planning Commission website. Recent decisions can be viewed on the Tasmanian Planning Commission website, under the current assessment and hearings listings. Past decisions can be viewed on the Austlii website.

- apply the priority vegetation area overlay to part of 232 and 246 Boyer Road, Bridgewater, and 31 Cobbs Hill Road, Bridgewater where the revised Landscape Conservation Zone applies, as set out in Attachment 2.

33. Reason:

- To apply the Agriculture Zone and the Landscape Conservation Zone to reflect the conservation covenants applying to the land.
- To apply zoning at boundaries consistent with the Commission's Practice Note 7 - Draft LPS mapping: technical advice.
- To apply the priority vegetation area overlay consistent with Guideline No. 1.

Rural Living Zone A - part of 14 Tarquin Road, Honeywood

Representation to originally exhibited draft LPS: David and Phillipa McCulloch (19)

34. The representors requested that land at part of 14 Tarquin Road, Honeywood comprising 11.6ha be revised from the Landscape Conservation Zone to the Rural Living Zone A.
35. The reasons include the current Environmental Living zoning of the land was applied in error when the interim planning scheme was introduced, and it should have been split zoned using the same zone boundary in the former Brighton Planning Scheme 2000.
36. In the section 35F report, the planning authority recommended the zoning be revised from the Landscape Conservation Zone to the Rural Living Zone A and Landscape Conservation Zone with the split zoning reflecting the zone boundary in the former planning scheme, confirming there was a zoning error made in the interim planning scheme.
37. At the hearing no other information was submitted.
38. The planning authority provided a further submission on 3 December 2019 containing a map and description of a point where the split zone boundary meets the southern boundary of the lot.

Commission consideration

39. The Commission accepts the planning authority's recommendation in its further submission that the land be split zoned Rural Living Zone A and Landscape Conservation Zone as described.

Commission decision

40. Modification:
- revise the zoning of part of 14 Tarquin Road, Honeywood to the Rural Living Zone A as shown in Figure 7 on page 7 of the planning authority's further submission of 3 December 2019; and
 - insert split zone boundary annotations to define the point 700m along the south boundary from the most south western point, consistent with the Commission's Practice Note 7, Draft LPS mapping: technical advice.
41. Reason:
- To correct an error.
 - To apply the Rural Living Zone A to part of 14 Tarquin Road, Honeywood consistent with Guideline No. 1.

- To apply zoning at boundaries consistent with the Commission's Practice Note 7 - Draft LPS mapping: technical advice.

Rural Living Zone B - part of 356 Baskerville Road, Old Beach

Representation to originally exhibited draft LPS: Aaron Wells (39)

42. The representor requested that land at part of 356 Baskerville Road, Old Beach be revised from the Landscape Conservation Zone to the Rural Living Zone B.
 - The reasons include:
 - the front paddock adjoining Baskerville Road is cleared, but there is existing vegetation approximately 240m back from Baskerville Road which reflects the part of the land that should be zoned Landscape Conservation;
 - the Rural Living Zone applies to adjoining land to the north and south; and
 - under the former Brighton Planning Scheme 2000, the land was split zoned with the cleared paddocks adjacent to Baskerville Road zoned Rural Residential and the remaining vegetated area zoned Skyline Protection, as shown on the submitted map.
43. In the section 35F report, the planning authority agreed with the representor's submission and recommended the zoning of the cleared part of the land be revised from Landscape Conservation Zone to the Rural Living Zone B. The reasons include:
 - the zoning revision is consistent with RLZ 1(a), RLZ 2(b), RLZ 3(a), RLZ 4 and LCZ 4 of Guideline No.1; and
 - application of the Rural Living Zone B is considered more appropriate than the Rural Living Zone D on the relevant part of the site, given the pattern of rural living development on adjoining and surrounding land.
44. At the hearing, the planning authority and the representor agreed that part of the proposed zone boundary would be difficult to identify and an alternate split zone boundary would be more consistent with the Commission's Practice Note 7, Draft LPS mapping: technical advice.
45. The planning authority provided a further submission on 3 December 2019 including:
 - a map showing the recommended revised split zone boundary based on the location of a post and wire fence identifiable on the LIST and confirmed on site; and
 - the revised zone boundary meets the requirements of the Commission's Practice Note 7.

Commission consideration

46. The Commission accepts the planning authority's recommendation to revise the zoning of the part of the land adjoining Baskerville Road that contains no vegetation to the Rural Living Zone B.
47. The Commission also accepts the location of the split zone boundary on the land, as described in the planning authority's further submission.

Commission decision

48. Modification:
 - revise part of 356 Baskerville Road, Old Beach to the Rural Living Zone B as shown in Figure 4 on page 5 of the planning authority's further submission of 3 December 2019; and

- insert split zone boundary annotations on the zone map to define the zone boundary based on the location of a post and wire fence, consistent with the Commission's Practice Note 7, Draft LPS mapping: technical advice.

49. Reason:

- To apply the Rural Living Zone B to part of 356 Baskerville Road, Old Beach consistent with Guideline No. 1.
- To apply zoning boundaries consistent with the Commission's Practice Note 7 - Draft LPS mapping: technical advice.

Rural Living Zone - 5, 9, 11 Melane Road, Old Beach (and other properties 'east of Cassidy's Bay')

Representations to originally exhibited draft LPS: Vik and Kim Saulis (2), Trevor and Catherine Jones (3), Mark and Cindy Johnston (21)

50. In response to the representations to the originally exhibited draft LPS the Commission directed substantial modifications⁴.
51. In the exhibited Brighton draft LPS substantially modified part this matter is referred to as: 4) Baskerville Road, Cassidy's Road, and Melane Road, Old Beach

Representations to substantially modified part: State Emergency Service (SES) (2)

52. The representor supports application of the Rural Living Zone B at Baskerville Road, Cassidy's Road and Melane Road, Old Beach.
53. In the section 35F report, the planning authority recommended no modification to the zoning at Baskerville Road, Cassidy's Road and Melane Road, Old Beach.
54. At the hearing no other information was submitted.

Commission consideration of substantially modified part

55. The Commission considers the application of the Rural Living Zone B is consistent with the strategic zoning of the surrounding area and Guideline No. 1.
56. The Commission accepts the planning authority's recommendation in the section 35F report that no modification to the Brighton draft LPS substantially modified part is required.
57. The Commission considers the substantially modified part is appropriate.

Commission decision on substantially modified part

58. The Commission considers that no modifications are required to the substantially modified part.
59. Therefore, modification to the originally exhibited draft LPS is:
- revise the zoning of the following properties to the Rural Living Zone B, as set out in Attachment 2:

⁴ The decision and reasons to substantially modify part of the Brighton draft LPS made on 26 February 2020 has been published on the Tasmanian Planning Commission website. Recent decisions can be viewed on the Tasmanian Planning Commission website, under the current assessment and hearings listings. Past decisions can be viewed on the Austlii website.

- 34 and 40 Baskerville Road, Old Beach;
- 1, 2, 3, 5, 6, 7, 8 Cassidy's Road, Old Beach; and
- 1, 2, 3, 4, 5 (folios of the Register 102907/1 and 102908/1), 8, 8B, 9, 11 (folios of the Register 161430/2 and 161430/1) Melane Road, Old Beach.

60. Reason:

- To apply the Rural Living Zone consistent with Guideline No. 1.

Priority vegetation area overlay – 31A Shelmore Drive and 89 Baskerville Road, Old Beach

Representation to originally exhibited draft LPS: Ireneinc Planning and Smith Street Studio Planning and Urban Design (28)

61. The representor requested that land at 31A Shelmore Drive, Old Beach (FR 171249/1) and 89 Baskerville Road (FR 59909/1 and 49158/1), Old Beach be revised so the priority vegetation area does not apply.
62. The reasons include the native community and species mapping available on TheLIST and previous site investigations do not identify any currently listed communities or species present or other values.
63. In the section 35F report, the planning authority submitted that the priority vegetation area overlay has been applied in accordance with the Regional Ecosystem Model (REM) mapping that has been accepted for use in the draft LPS. No other local evidence or information has been submitted.

Commission consideration

64. The Commission accepts the planning authority's recommendation in their section 35F report, and agree without further evidence there is no rationale for the overlay to be removed from applying to the land.

Commission decision

65. The Commission considers that no modifications are required.

Future Urban Zone - 31A Shelmore Drive and 89 Baskerville Road, Old Beach and Old Beach Quarry Specific Area Plan - provisions

Representation to originally exhibited draft LPS: Ireneinc Planning and Smith Street Studio Planning and Urban Design (28)

66. The representor requested that land accommodating the Old Beach Quarry at 31A Shelmore Drive (FR 171249/1) and 89 Baskerville Road (FR 59909/1 and 49158/1), Old Beach be revised from the Rural Zone to the Future Urban Zone, and modifications to the Old Beach Quarry Specific Area Plan (SAP).
67. The reasons include:
- the existing zoning 31A Shelmore Road outside the existing buffer area is zoned General Residential under the interim planning scheme;
 - application of the Rural Zone is inconsistent with the strategic direction identified by the Brighton Structure Plan 2018 which identifies the land as desirable for residential zoning; and

- in conjunction with the Future Urban Zone being applied, a SAP may be a suitable mechanism to control the transition of the affected land from the previous quarry to its future uses, however the purpose of the Old Beach Quarry SAP should be modified to better reflect future planning.
68. In the section 35F report, the planning authority recommended the zoning remain Rural and no modifications be made to the Old Beach Quarry SAP. The reasons include:
- while the future use of the site for residential use is supported by the Brighton Structure Plan 2018 as a primary residential growth option and the use of the Urban Growth Zone, General Residential Zone and a SAP are all flagged as suitable, application of the Future Urban Zone is not consistent with the regional strategy as the land is located outside the Urban Growth Boundary;
 - the Old Beach Quarry SAP is ultimately designed to protect the operations of the Old Beach Quarry and recognise that a reduced attenuation distance is in place. Ultimately, the SAP will most likely be removed when the Mining Lease is finished, noting Mineral Resources Tasmania (MRT) are responsible for regulating the rehabilitation of the site
69. At the hearing no new evidence or information was submitted. The planning authority agreed that the heading of clause BRI-S5.6.1 of the SAP should be modified.

Commission consideration

70. The Commission accepts the planning authority's recommendations in their section 35F report that the zoning remain Rural. Based on the established settlement policies and urban growth boundary in the regional strategy, it is premature to rezone the land to the Future Urban Zone without consideration of further strategic analysis and evidence.
71. The Commission also considers it is premature to modify the Old Beach Quarry SAP at this time, with the mining lease still in place.

Commission decision

72. Modification:
- In BRI-S5.0 Old Beach Quarry Specific Area Plan, revise the heading for clause BRI-S5.6.1 from 'Residential use' to 'Sensitive use'.
73. Reason: To improve clarity of interpretation and provide for the effective operation of the provisions.

Rural Zone and Rural Living Zone – 720, 754, 757 and 770 Boyer Road, Dromedary

Representation to originally exhibited draft LPS: Billet Legal for Phill Smith (16)

74. In response to the representations to the originally exhibited draft LPS the Commission directed substantial modifications⁵.
75. In the exhibited Brighton draft LPS substantially modified part this matter is referred to as: 5) 754, 757 and 770 Boyer Road, Dromedary

⁵ The decision and reasons to substantially modify part of the Brighton draft LPS made on 26 February 2020 has been published on the Tasmanian Planning Commission website. Recent decisions can be viewed on the Tasmanian Planning Commission website, under the current assessment and hearings listings. Past decisions can be viewed on the Austlii website.

Representation to substantially modified part: Phill Smith (4)

76. The representor did not request specific changes but indicated that they were not satisfied with the zoning of their land.
77. In the section 35F report, the planning authority recommended no modification to the zoning.
78. At the hearing, the representor requested that the northern part of the title be revised from the Landscape Conservation Zone to the Rural Zone because they would like to be able to undertake farming activities on the land.
79. The planning authority explained that, while there are no existing use rights for the Resource Development use class connected to the land, the use is discretionary under the Landscape Conservation Zone.
80. The planning authority confirmed that application of the Landscape Conservation Zone is considered the best fit for the area.

Commission consideration of substantially modified part

81. The Commission considers the application of the Landscape Conservation Zone is consistent with the strategic zoning of the Dromedary area and Guideline No. 1.
82. The Commission accepts the planning authority's recommendation in the section 35F report that no modification to the Brighton draft LPS substantially modified part is required.
83. The Commissions considers the substantially modified part is appropriate.

Commission decision on substantially modified part

84. The Commission considers that no modifications are required to the substantially modified part.
85. Therefore, modification to the originally exhibited draft LPS is:
 - revise the zoning of part of 754, 757 and 770 Boyer Road, Dromedary (folios of the Register 21919/1, 167426/1, and 167425/1) to the Rural Living Zone B as shown on page 16 in the planning authority's further submission of 7 November 2019, and annotate the split zone boundary based on the location of the priority vegetation area overlay and consistent with the Commission's Practice Note 7 – Draft LPS mapping: technical advice, as set out in Attachment 2; and
 - revise the zoning of 720 Boyer Road, Dromedary to the Landscape Conservation Zone, Rural Living Zone B, and Rural Zone, consistent with the proposed zoning map on page 15 in the planning authority's further submission of 7 November 2019, and annotate the split zone boundary for the Rural Zone based on the mining lease boundaries, consistent with the Commission's Practice Note 7 Draft LPS mapping: technical advice, as set out in Attachment 2.
86. Reason:
 - To apply the Landscape Conservation Zone and the Rural Living Zone B to 754, 757 and 770 Boyer Road, Dromedary consistent with the purpose of the zone and Guideline No. 1.
 - To apply the Landscape Conservation Zone, the Rural Living Zone B, and the Rural Zone to 720 Boyer Road, Dromedary consistent with the purpose of the zone and Guideline No. 1.

- To meet technical requirements consistent with Commission Practice Note 7 - Draft LPS mapping: technical advice.

Rural Living Zone and Scenic Management Code - Church Road and Cranes Road, Dromedary

Representation to originally exhibited draft LPS: Regulus Fogagnolo (10)

87. The representor requested that land at Church Road and Cranes Road, Dromedary be revised from the Landscape Conservation Zone to the Rural Living Zone combined with application of the Scenic Management Code for the purposes of conserving the skyline.
88. The reasons include:
- application of the Landscape Conservation Zone to properties on Church Road and Cranes Road is inconsistent with the approach taken to applying the Rural Living Zone or the Rural Zone to lots on Boyer Road with comparable lot sizes;
 - while the conservation values of the area require protection, the Landscape Conservation Zone is an unduly restrictive administrative burden for residents, to provide a comparatively small increase in protection to values compared with the Rural Living Zone;
 - the skyline and conservation values can be appropriately protected by application of the Rural Living Zone combined with the Scenic Management Code; and
 - application of the Rural Living Zone and Scenic Management Code will not cause unacceptable subdivision as the majority of existing lots are already less than 10ha.
89. In the section 35F report, the planning authority recommended that the land remain in the Landscape Conservation Zone. The reasons include:
- Dromedary Hills has a long history of zoning that provides for protection of the natural and landscape values of the area;
 - application of the Landscape Conservation Zone is consistent with Guideline No.1;
 - the land zoned Rural Zone and Rural Living Zone referred to in the representation is somewhat comparable in lot size and location (albeit on the foothills), but clearly does not contain the same landscape values as the land on the higher slopes of Dromedary; and
 - the Scenic Management Code could be used to provide greater protection of the values of the area if applied over the Landscape Conservation Zone.
90. At the hearing no additional information was submitted.

Commission consideration

91. The Commission accepts the planning authority submission that no modification to the zoning at Church Road and Cranes Road, Dromedary is required.
92. Justification for application of the Landscape Conservation Zone to the Dromedary area was provided in the supporting report. Application of the Landscape Conservation Zone is consistent with Guideline No.1.
93. The Commission does not support application of Scenic Management Code to the land as no evidence has been provided on the particular scenic values that warrant protection beyond that provided by the application of the Landscape Conservation Zone.

Commission decision

94. The Commission considers that no modifications are required.

Rural Zone - 250 Cove Hill Road, Honeywood

Representation to originally exhibited draft LPS: ERA Planning for Cooltrans Pty Ltd (31)

95. The representor requested that the land at 250 Cove Hill Road, Honeywood, comprising folios of the Register 146794/1, 247795/1, 44572/2, 247795/2 and 44573/4) be revised from the Agriculture Zone to the Rural Zone.
96. The reasons include:
- while application of the Agriculture Zone has been informed by a mapping project by AK Consultants consistent with Guideline No.1, this work was undertaken as a desktop exercise;
 - this evidence is inferior to the site specific agricultural assessment by Macquarie Franklin, which was previously accepted by the Commission when considering interim planning scheme draft amendment RZ 2016-07 (in August 2017), and this assessment was prepared on the basis of specific soil sampling, site characteristics and constraints, and a copy was provided; and
 - Guideline AZ6 of Guideline No.1 provides for consideration of an alternative zoning to Agriculture if it can be demonstrated to be appropriate.
97. In the section 35F report, the planning authority recommended that the land remain in the Agriculture Zone. The reasons include:
- the site was referred to agricultural consultants AK Consultants who further considered the physical qualities of the land, irrigation potential, potential for a high value horticultural operation, their decision tree methodology, AZ1 of Guideline No.1 and the representor's Macquarie Franklin report, and they maintained their advice that the Agriculture Zone is justified for this land; and
 - based the advice by AK Consultants, the ongoing use of the land for agriculture since the Commission's decision to refuse the rezoning of the land to Rural Living in 2017, and the agricultural assessment and evidence given by Macquarie Franklin was for a different purpose, it is considered appropriate that the Agricultural Zone be applied to the land.
98. At the hearing, delegate Claire Hynes declared an interest in the matter and invited submissions from the parties. The representor and the planning authority were content for her to decide the matter, and no other submissions were made.
99. At the hearing no new information was submitted.

Commission consideration

100. The Commission acknowledge the site-specific information provided in the Macquarie Franklin report and that it was prepared by a suitably qualified person, but note it was written for the purpose of assessing a proposed rezoning of the land to Rural Living under the interim planning scheme, rather than for application of the provisions of the State Planning Provisions (SPPs) and according to Guideline No.1.
101. Guideline AZ1 of Guideline No.1 requires spatial application of the Agriculture Zone to be in accordance with the statewide Land Potentially Suitable for Agriculture Zone layer on theLIST with consideration for further expert analysis.

102. The Commission accepts the further analysis by AK Consultants that was provided in the context of the draft LPS.
103. The Commission accepts that application of the Agriculture Zone is appropriate for the subject land.

Commission decision

104. The Commission considers that no modifications are required.

Rural Living Zone - 219 Baskerville Road, Old Beach

Representation to originally exhibited draft LPS: Les Burbury (22)

105. The representors requested that land at 219 Baskerville Road, Old Beach be revised from the Agriculture Zone to the Rural Living Zone.
106. The reasons include:
 - the proposed zone does not reflect the recent and likely future development activities on the land and the wider area, and the land is not of a size that reflects a lot suitable for rural activities;
 - the land is located within 20 minutes of Hobart and the area has a history of integrated, co-existent development and uses;
 - the proposed zone does not recognise the existing natural and landscape values that should be retained; and
 - the Rural Living Zone would be more appropriate as it provides for all current activities on the land and the surrounding agricultural and residential uses.
107. In the section 35F report, the planning authority recommended the land remain in the Rural Zone. The reasons include:
 - application of the Agriculture Zone is consistent with AZ1 of Guideline No.1, and the land has been identified on the Land Potentially Suitable for Agricultural Zone layer on the LIST and as potentially unconstrained;
 - the land has an existing agricultural use, access to irrigation water resources and connectivity with adjoining farms to the north, west and south;
 - according to RLZ4 (c) of Guideline No.1, the Rural Living Zone should not be applied to the land; and
 - local strategic analysis in the Brighton Structure Plan 2018 does not provide any strategic impetus for the land to be in the Rural Living Zone and neither does the regional strategy.
108. At the hearing, the planning authority submitted it had reasonably applied Guideline No.1, and as the land is mapped as potentially unconstrained and has irrigation, the Agriculture Zone is justified.
109. At the hearing, the representor provided further background information on the current agriculture activities on the site and clarified that the irrigation is an on-site scheme only and the productive use of the land for crops such as olive growing does not require a high level of irrigation. The representor also clarified that it is the southern part of the land measuring about 5ha that is requested to be revised to the Rural Living Zone, due to its rocky soil type.
110. No other information was submitted at the hearing.

Commission consideration

111. The Commission accepts the planning authority submission that the Agriculture Zone is appropriate for the land. The Commission considers AZ1 of Guideline No.1 requires spatial application of the Agriculture Zone to be in accordance with the statewide Land Potentially Suitable for Agriculture Zone layer on theLIST and provides for consideration for further expert analysis.
112. The Commission acknowledges the representor's submission, however the Commission does not have sufficient evidence to justify application of a different zone under AZ6 of Guideline No.1 requiring local analysis.

Commission decision

113. The Commission considers that no modifications are required.

Rural Living Zone - Clarries Lane, Old Beach

Representation to originally exhibited draft LPS: Lark and Creese Pty Ltd (23)

114. The representor requested that land at 2, 4, 5, 6, 7, and 8 Clarries Lane and 116, 124, and 128 Old Beach Road be revised from the Rural Zone to the Rural Living Zone.
115. The reasons include:
 - the limited capacity of the properties to carry out viable rural uses due to limited lot size, insufficient access to a viable water supply for irrigation as the private water scheme has collapsed, existing dwelling development, proximity to land zoned General Residential Zone and Rural Living Zone has potential to create land use conflicts, and the land is mapped as constrained in the Land Potentially Suitable for Agriculture Zone layer on theLIST;
 - the Rural Living Zone is more appropriate because the properties have a reticulated water supply, are adjacent to an existing Rural Living community and were acknowledged as a rural living community under the Brighton Structure Plan 2018, and application of the Rural Living Zone is consistent with the regional strategy; and
 - an additional 30 lots could be created under the Rural Living Zone.
116. In the section 35F report, the planning authority recommended that the land remain in the Rural Zone. The reasons include:
 - the properties are situated between land developed at urban densities and a significant agricultural operation;
 - the Brighton Structure Plan 2018 recommends that the current zoning be retained (Rural Resource Zone under the interim planning scheme). It also flags that there may be opportunities for growth in the future. Given that it is close to the area of the Tivoli Green SAP and Urban Growth areas highlighted in the SAP, there is potential that this land, or at least some of it may be suitable for being developed at urban densities;
 - application of the Rural Living Zone at this point would fragment the land and make growth at higher densities in the future more difficult;
 - as the land was identified as constrained, it was referred to AK Consultants who recommended application of the Rural Zone; and
 - further strategic analysis of the area is likely.
117. At the hearing no other information was submitted.

118. A further submission was received from Belinda Richardson and Shane Thompson, owners of 4 Clarries Lane, stating that they object to revising the zoning of properties at Clarries Lane from the Rural Zone to the Rural Living Zone proposed by the representor due to the amount of potential extra lots that a change in the zoning could create.

Commission consideration

119. The Commission notes that the land is currently zoned Rural Resource Zone in the interim planning scheme and has been subdivided at a low density.
120. The Commission notes that the planning authority has had regard to the strategic analysis undertaken for the interim planning scheme, further advice from agricultural consultants AK Consultants, and Guideline No.1 relevant to the application of the Rural Zone.
121. The Commission supports the planning authority submission and recommendations in the section 35F report that no modifications are required.
122. The Commission considers more strategic analysis is required to determine the appropriate density, if the land is to be rezoned to an urban zone, and rezoning might prejudice the future planning of the wider area.

Commission decision

123. The Commission considers that no modifications are required.

Rural Zone - 830 Middle Tea Tree Road, Tea Tree

Representation to originally exhibited draft LPS: Gray Planning for Rob Megens (29)

124. The representor requested that the land at 830 Middle Tea Tree Road, Tea Tree be revised from the Agriculture Zone to the Rural Zone.
125. The reasons include:
- the land is currently zoned Significant Agriculture Zone under the interim planning scheme, and the 1.52ha lot is not large enough to be utilised for agricultural purposes, but is suitable for a small scale hobby farm with a dwelling. The land is currently subject to an application for a dwelling; and
 - the land is located between two lots that accommodate dwellings, and there are a number of lots that contain dwellings on smaller lots in close proximity, and locality is also serviced by reticulated water.
126. The representor also submitted a copy of an 'Agricultural Assessment and Planning Scheme Compliance Report, 830 Middle Tea Tree Road, Tea Tree', June 2018 by Macquarie Franklin in relation to assessment of a proposed dwelling and olive grove under the interim planning scheme.
127. In the section 35F report, the planning authority recommended the land remain in the Agriculture Zone. The reasons include:
- despite its size, the land is identified as potentially unconstrained on the Land Potentially Suitable for Agriculture Zone layer on theLIST, and it was referred to AK Consultants who recommended the Agriculture Zone is appropriate across the subject smaller titles; and
 - the land is undeveloped, is in the same ownership as a larger holding, generally surrounded by unconstrained agriculture land, and is already zoned Significant Agriculture Zone in interim planning scheme.

128. At the hearing no other information was submitted.

Commission consideration

129. The Commission notes that the planning authority referred the land to agricultural consultants AK Consultants for their advice, and they recommended application of the Agriculture Zone.

130. The Commission accepts the planning authority submission and recommendation in the section 35F report, agrees that application of the Agriculture Zone is appropriate for the subject land.

Commission decision

131. The Commission considers that no modifications are required.

Rural Living Zone - 509 Millvale Road, Brighton

Representation to originally exhibited draft LPS: Gavin Whitney (30)

132. The representor requested that land at 509 Millvale Road, Brighton be revised from the Rural Zone to the Rural Living Zone.

133. The reasons include the Rural Zone would facilitate the opportunity for subdivision to create a new lot for a dwelling.

134. In the section 35F report, the planning authority recommended that the land remain in the Rural Zone. The reasons include that the land was assessed as being most suitable for the Rural Zone according to the advice of agricultural consultants AK Consultants as described in section 3.2.6 of the Supporting Report.

135. At the hearing no other information was submitted.

Commission consideration

136. The Commission accepts the advice of AK Consultants in the planning authority submission, and agrees that application of the Rural Zone is appropriate.

137. The Commission supports the planning authority's recommendation in the section 35 F report that no modifications are required.

Commission decision

138. The Commission considers that no modifications are required.

Rural Living Zone - 110, 160 and 166 Baskerville Road, Old Beach

Representations to originally exhibited draft LPS: Michael Ball (18) for SM Roberts, Mark Jakins (20) and Jenna Pogorzelski (27)

139. In response to the representations to the originally exhibited draft LPS the Commission directed substantial modifications⁶.

⁶ The decision and reasons to substantially modify part of the Brighton draft LPS made on 26 February 2020 has been published on the Tasmanian Planning Commission website. Recent decisions can be viewed on the Tasmanian Planning Commission website, under the current assessment and hearings listings. Past decisions can be viewed on the Austlii website.

140. In the exhibited Brighton draft LPS substantially modified part, this matter is referred to as: 7) 110, 160 and 166 Baskerville Road, Old Beach

Representations to substantially modified part

141. No representations were received.

Commission consideration of substantially modified part

142. As there were no representations the Commission considers the substantially modified part is appropriate.

Commission decision on substantially modified part

143. The Commission considers that no modifications are required to the substantially modified part.

144. Therefore, modification to the originally exhibited draft LPS is:

- revise 110, 160 and 166 Baskerville Road, Old Beach to the Rural Living Zone C and the Environmental Management Zone as shown in Figure 2 on page 3 of the planning authority's further submission of 3 December 2019, as set out in Attachment 2;
- annotate the split zone boundaries based on the subdivision layout boundaries and zone boundaries shown in Figure 2 on page 3 of the planning authority's further submission of 3 December 2019, consistent with the Commission's Practice Note 7, Draft LPS mapping: technical advice, as set out in Attachment 2; and
- revise the priority vegetation area overlay to apply to 110, 160 and 166 Baskerville Road, Old Beach as shown in Figure 3 of the planning authority's further submission of 3 December 2019, as set out in Attachment 2.

145. Reason:

- To apply the Rural Living Zone, and the Environmental Management Zone to 110, 160 and 166 Baskerville Road, Old Beach to reflect the approved subdivision on the land.
- To apply the priority vegetation area overlay consistent with Guideline No. 1.
- To meet technical requirements consistent with Commission Practice Note 7 - Draft LPS mapping: technical advice.

Landscape Conservation Zone – part of 711 Middle Tea Tree Road, Tea Tree

Representation to originally exhibited draft LPS: Peter and Brenda Bosworth (12)

146. The representors requested that land at part of 711 Middle Tea Tree Road, Tea Tree be revised from the Rural Zone to the Landscape Conservation Zone.

147. The reasons include:

- the split zone boundary and application of the Agriculture Zone is supported;
- a Flora and Vegetation Study of the land and two adjacent properties to the south east conducted by Stephen Harris (undated); and
- the report highlights the conservation values of the properties, particularly a relatively large area of Grassy Blue Gum forest which is habitat for the Swift Parrot.

148. In the section 35F report, the planning authority recommended the land remain in the Rural Zone. The reasons include:

- the land is split zoned Significant Agriculture Zone and Rural Resource Zone in the current interim planning scheme;
- the Hammonds Tier area was referred to AK Consultants and their advice was that the land should not be split zoned and the Agriculture Zone should apply to all of the area;
- the split zoning with the Rural Zone and the Agriculture Zone would be an acceptable compromise in that the Rural Zone on the upper slopes would not prohibit bush runs on this land and let the priority vegetation area overlay apply to the land; and
- given that there are experts suggesting different outcomes, the Rural Zone combined with the priority vegetation area overlay appears to remain a reasonable compromise.

149. At the hearing no other information was submitted.

Commission consideration

150. The Commission accepts the planning authority submission and recommendation in its section 35F report.

151. The Commission considers that the land should remain in the Rural Zone.

Commission decision

152. The Commission considers that no modifications are required.

Rural Living Zone C - 155 Gunners Quoin Road, Old Beach

Representation to originally exhibited draft LPS: Colin and Judi Adams (34)

153. The representors requested that land at 155 Gunners Quoin Road, Old Beach be revised from the Landscape Conservation Zone to the Rural Living Zone C.

154. The reasons include:

- the recent subdivision and development activity in the area indicates that this is an evolving residential area;
- surrounding land has been rezoned to the Rural Living Zone C; and
- the zone boundary line across the representor's land does not reflect the current condition of the natural vegetation and the reality of what appears on the ground.

155. In the section 35F report, the planning authority recommended that the land remain in the Landscape Conservation Zone. The reasons include:

- evidence of planning approvals in the area is contrary to the submission that the area is an evolving residential area;
- the entire area of the Landscape Conservation Zone at the top of Gunners Quoin Road is covered by the priority vegetation area overlay which suggests there are significant landscape and conservation values in the area, and Gunners Quoin itself is also of significant scenic value; and
- application of the Landscape Conservation Zone to the land and the area at the top of Gunners Quoin Road is consistent with LCZ 1, LCZ 2, LCZ 3, and LCZ 4 of Guideline No.1.

156. At the hearing no other information was submitted.

Commission consideration

157. The Commission considers that application of the Landscape Conservation Zone to the land and the Gunners Quoin area is consistent with Guideline No.1.
158. The Commission considers that the land should remain in the Landscape Conservation Zone.

Commission decision

159. The Commission considers that no modifications are required.

Rural Living Zone A - 214 Old Beach Road, Old Beach

Representation to originally exhibited draft LPS: Phil and Fiona Kuhne (11)

160. The representors requested that land at 214 Old Beach Road, Old Beach be revised from the Agriculture Zone to the Rural Living Zone A.
161. The reasons include:
- the site is 0.5ha and has no agricultural potential, it is developed with a dwelling and is further constrained by an on-site wastewater system, and application of the waterway and coastal protection area overlay; and
 - comparable properties along Old Beach Road and Briggs Road are zoned Rural Living Zone A.
162. In the section 35F report, the planning authority recommended the zoning be revised from the Agriculture Zone to the Rural Living Zone A. The reasons include:
- the land clearly has limited agricultural potential due to its size existing development and other environmental constraints;
 - other than access strips either side of the land to larger agricultural lots, this land is effectively a continuation of the Rural Living Zone strip along Old Beach Rd to the north; and
 - the land should be zoned Rural Living Zone A as it has no agricultural potential and is clearly a residential use.
163. At the hearing no other information was submitted.

Commission consideration

164. The Commission accepts the planning authority submission and recommendation in its section 35F report.
165. The Commission considers that application of the Rural Living Zone A to the subject land is consistent with RLZ 1(a) and RLZ 3(a) of Guideline No.1.
166. The Commission notes that the land is not identified in the Regional Ecosystem Modelling mapping, therefore there is no need for the priority vegetation overlay to apply to the land.

Commission decision

167. Modification:
- revise the zoning of 214 Old Beach Road, Old Beach to the Rural Living Zone A; and
 - annotate the zone map consistent with Commission's Practice Note 7 Draft LPS mapping: technical advice.

168. Reason:

- To apply the Rural Living Zone A consistent with the purpose of the zone and Guideline No. 1.

Priority Vegetation Area Overlay – part of 23 Weily Park Road, Bridgewater

Representation to originally exhibited draft LPS: TasNetworks (5)

169. The representor requested that the priority vegetation area overlay is removed from applying to the northern part of land at 23 Weily Park Road, Bridgewater (FR 52510/1).

170. The reasons include:

- the northern half of the land is developed with a communications station, substation and a TasNetworks' storage depot. This portion of the site is predominately cleared of native vegetation;
- vegetation management and clearance is required to maintain the safety of TasNetworks assets and is already approved in accordance with other Acts; and
- an aerial photo of the lot showing the location of development and vegetation.

171. In the section 35F report, the planning authority recommended the priority vegetation area overlay be removed from the northern part of the land to be consistent with NAC 11 of Guideline No.1

172. At the hearing no other information was submitted.

Commission consideration

173. The Commission accepts the planning authority submission and recommendation that the priority vegetation area overlay should be modified to not apply to the northern part of the land, which is cleared and developed.

Commission decision

174. Modification:

- delete the priority vegetation area overlay from the northern part of 23 Weily Park Road, Bridgewater, consistent with the pink line shown on the map on page 4 of the planning authority's section 35F report.

175. Reason: To apply the priority vegetation area overlay consistent with Guideline No. 1.

Rural Zone – Part of 1 Parkholme Drive, Bridgewater (folio of the Register 125841/2)

Representations to originally exhibited draft LPS: Boral Property Group (38)

176. The representor requested that folio of the Register 125841/2 (part of 1 Parkholme Drive, Bridgewater) be revised from the Agriculture Zone to the Rural Zone.

177. The reasons include:

- the land is currently zoned Rural Resource Zone under the interim planning scheme;
- application of the Agriculture Zone removes existing use rights and will impose an additional burden for converting agricultural land to non-agricultural uses; and
- Folio of the Register 125841/2 is referred to in the Use Table of the General Industrial Zone in the interim planning scheme.

178. In the section 35F report, the planning authority recommended the land remain in the Agriculture Zone. The reasons include:
- whilst Boral own the land it does not fall within the Mining Lease of their operations, nor are there any approvals for use and development on this land, so there are no existing use rights in relation to an extractive industry or any other type of use and development;
 - the land is mapped as 'unconstrained' in the Land Potentially Suitable for Agriculture Zone layer on theLIST;
 - the area was referred to AK Consultants who identified that that areas to the east and north should be zoned Agriculture Zone to provide a sufficient cluster of Agriculture zoned titles and provide connectivity. This would support application of the Agriculture Zone on this title; and
 - application of the Rural Zone to this site does not meet RZ3 of Guideline No.1 as no strategic analysis has been provided by Boral about any naturally occurring resource within the title and as the land falls outside the existing Mining Lease.
179. At the hearing, the planning authority submitted that the Agriculture Zone has been applied consistent with Guideline No.1.
180. The planning authority also submitted that if a mining lease and permit for Extractive Industry were to be granted over the land, the application of the mapped attenuation area and Bridgewater Quarry SAP would need to be reviewed, noting that the representation supported the proposed application of these provisions.
181. At the hearing, the representor confirmed that the application of the mapped attenuation area and Bridgewater Quarry SAP are supported. The representor also stated there are a range of complementary uses to mining, such as concrete batching that Boral would like to be able to undertake on the land adjacent their existing mining operation. They also submitted that they consider there is a rock resource within the land. The representor also questioned whether the former SSQ has been transitioned from the interim planning scheme to the draft LPS correctly.

Commission consideration

182. The Commission notes that the lot and the surrounding land to the north, east and south are mapped as unconstrained in the Land Potentially Suitable for Agriculture Zone layer on theLIST, and are proposed to be zoned Agriculture Zone in the draft LPS. AK Consultant's advice supports application of the Agriculture Zone.
183. The Commission accepts that application of the Agriculture Zone is consistent with Guideline No.1.
184. The Commission notes that under the interim planning scheme:
- Extractive Industry is listed as a Discretionary Use Class in the Rural Resource Zone, and this applies to folio of the Register 125841/2 (part of 1 Parkholme Drive, Bridgewater);
 - Extractive Industry is listed as a Permitted Use Class in the General Industrial Zone with the qualification 'Only for Folios of the Register Volume 50853 Folio 1, Volume 125841 Folio 2, Volume 148856 Folio 1, Volume 156753 Folio 6, and Volume 166072 Folio 1', and this qualification applies to the other parts of 1 Parkholme Drive, Bridgewater adjoining folio of the Register 125841/2 to the south, owned by Boral, and covered by a mining lease; and

- although folio of the Register 125841/2 is listed in the qualification in the use table of the General Industrial Zone, this is of no effect as the zone does not apply to the lot.
185. The Commission also notes that in the SPPs:
- Extractive Industry is listed as a Discretionary Use Class in the Agriculture Zone;
 - Manufacturing and Processing is listed as a Discretionary Use Class with the qualification 'If for the processing of materials from Extractive Industry' in the Agriculture Zone;
 - Extractive Industry is listed as a Permitted Use Class in the Rural Zone; and
 - Extractive Industry is a Prohibited Use Class in the General Industrial Zone.
186. The Commission considers that the draft LPS provides for Extractive Industry and associated use such as Manufacturing and Processing on the land and the proposed Agriculture Zone does not require a higher test than in the interim planning scheme.
187. The Commission considers that no modifications are required to the zoning, and application of the Agriculture Zone is consistent with the relevant guidelines in Guideline No. 1.
188. The Commission notes that the Minister's declarations require the existing Use Table qualification for the General Industrial Zone to be transitioned into the draft LPS as an SSQ. However, this qualification has no effect on the relevant land (folio of the Register 125841/2) as this is zoned Rural Resource, it only affects the remainder of the land comprising 1 Parkholme Drive that is zoned General Industrial.
189. The Commission considers that the folio of the Register references listed in the draft LPS, SSQ BRI-19.1 accurately reflect the operation of the interim planning scheme, noting that the folio of the Register references have changed since its commencement.
190. The Commission also notes that the drafting of SSQ BRI-19.1 table should be amended so the words in the site reference column read 'Part of 1 Parkholme Drive and 314 Midland Highway, Bridgewater' to accurately reflect that not all folios of the register identified by the address 1 Parkholme Drive are included in the application of the SSQ, only those identified in the column for Folio of the Register. This will achieve the effect intended in the qualification in the interim planning scheme.

Commission decision

191. Modification:
- In Site-specific Qualification BRI-19.1, revise the Site reference to read: 'Part of 1 Parkholme Drive and 314 Midland Highway, Bridgewater'.
192. Reason: To improve clarity of interpretation and provide for the effective operation of the SSQ, BRI-19.1.

Bridgewater Quarry SAP - Operation of clause BRI-S4.7.1 and potential effects on development at 44 Bluemetal Drive, Brighton

Representation to originally exhibited draft LPS: Ron O'Connor for R&R TAS Pty Ltd (Carbon Products Pty Ltd) (35)

193. The representor did not request specific changes but expressed concern about the operation of the Bridgewater Quarry SAP and potential effects on development at 44 Bluemetal Drive, Bridgewater including, causing extra costs to construct anything on the land, and the ability of the quarry operator to have a say on development.

194. In the section 35F report, the planning authority recommended no modification. The reasons include:
- the Bridgewater Quarry is provided with additional protections as it has been identified as a regionally significant resource. The Bridgewater Quarry buffer has been in place since the 1980s; and
 - the Bridgewater Quarry SAP is intended to require referral to the Bridgewater Quarry for advice only, but any decision about use or development with the SAP is ultimately the planning authority's.
195. At the hearing no other information was submitted.

Commission consideration

The Commission notes the representor's concerns and is satisfied with the planning authority's response and recommendation in the section 35F report.

Commission decision

The Commission considers that no modifications are required.

Bridgewater Quarry SAP - Provisions - Modify heading

Representations to originally exhibited draft LPS: Department of State Growth (32), and Boral Property Group (38)

196. The representors requested that the heading 'Residential Use' at BRI-S4.6.1 is changed to 'Sensitive Use'.
197. The reasons include the term 'residential' does not encompass all sensitive uses as defined in the SPPs.
198. In the section 35F report, the planning authority recommended the drafting of the SAP be revised from 'BRI-4.6.1 Residential Use' to 'BRI-4.6.1 Sensitive Use'.
199. At the hearing no other information was submitted.

Commission consideration

200. The Commission considers that the drafting of the heading 'BRI-4.6.1 Residential Use' is an error and should be revised to be consistent with the drafting of the corresponding objective and standard which refers to sensitive use.

Commission decision

201. Modification:
- In BRI-S4.0 Bridgewater Quarry Specific Area Plan, revise the heading for clause BRI-4.6.1 from 'Residential use' to 'Sensitive use'.
202. Reason:
- To correct an error.
 - *To improve clarity of interpretation and provide for the effective operation of the provisions.*

Bridgewater Quarry SAP - Provisions – proposed application clause

Representation to originally exhibited draft LPS: Department of State Growth (32)

203. The representor requested that a mandatory requirement for the planning authority to refer an application to the quarry operator consistent with clause E9.5.2 of the interim planning scheme is inserted into the Bridgewater Quarry SAP at clause BRI-S4.2 Application of this Plan.

204. The reasons include:

- the mandatory approach in the interim planning scheme is preferred as it ensures that the planning authority will refer an application to the quarry operator.

205. In the section 35F report, the planning authority recommended the drafting of the SAP be revised to insert a new clause BRI-S4.2.3 as follows:

The specific area plan requires the planning authority to refer any applications for proposed use and development to which this specific area plan applies to the Bridgewater Quarry operator for advice on potential conflict between the proposed use or development and the quarry operations. The planning authority must not determine an application until the quarry operator has provided its advice, or until 14 days from the date of referral, whichever occurs first.

206. The reasons include:

- the mandatory requirement to refer the applications to the quarry operator is supported;
- clarification that the structure of the LPS required by clause LP1.0 Local Provisions Schedule Requirements of the SPPs does not provide for the mandatory referral in the same way as did the “Application Requirements” clause in the interim planning scheme;
- The drafting of clause BRI-S4.7.1 P1(d) and clause BRI-S4.8.1 P1(c) requires the planning authority to have regard to “any advice from the Bridgewater Quarry operator”, whilst this implies that the planning authority should seek advice from the quarry operator it does not clearly require referral.

207. At the hearing no other information was submitted.

Commission consideration

208. The Commission considers that the drafting of the SAP meets clause LP1.0 Local Provisions Schedule Requirements of the SPPs and provides for the effective operation of the provisions in the manner intended.

Commission decision

209. The Commission considers that no modifications are required.

Attenuation Area – proposed - Brighton industrial estate and transport hub

Representations to originally exhibited draft LPS: Department of State Growth (32), and Boral Property Group (38)

210. In response to the representations to the originally exhibited draft LPS, the Commission directed substantial modifications⁷.

⁷ The decision and reasons to substantially modify part of the Brighton draft LPS made on 26 February 2020 has been published on the Tasmanian Planning Commission website. Recent decisions can be viewed on the

211. In the exhibited Brighton draft LPS substantially modified part this matter is referred to as: 1) Brighton Industrial Hub.

Representations to substantially modified part: TasRail (1), Department of State Growth (3)

212. The representors support application of the Brighton Industrial Hub Specific Area Plan as it will prevent sensitive uses from establishing close to the Brighton Transport Hub or Boral Quarry where the specific area plan applies.
213. In the section 35F report, the planning authority recommended no modification to the application or drafting of the Brighton Industrial Hub Specific Area Plan.
214. At the hearing no other information was submitted.

Commission consideration of substantially modified part

215. The Commission considers the application of the Brighton Industrial Hub Specific Area Plan is appropriate for the area to prevent sensitive uses from establishing close to the Brighton Transport Hub or Boral Quarry and to reduce potential for future land use conflict.
216. The Commission accepts the planning authority's recommendation in the section 35F report that no modification to the Brighton draft LPS substantially modified part is required.
217. The Commission considers the substantially modified part is appropriate.

Commission decision on substantially modified part

218. The Commission considers that no modifications are required to the substantially modified part.
219. Therefore, modification to the originally exhibited draft LPS is:
- Insert BRI-S10.0 Brighton Industrial Hub Specific Area Plan into the Brighton draft LPS written document, as set out in Attachment 2, Annexure A; and
 - Insert the BRI-S10.0 Brighton Industrial Hub Specific Area Plan overlay into the SAP overlay map, consistent with the area shown on page 21 of the planning authority's further submission of 7 November 2019, with the relevant annotation consistent with the Commission's Practice Note 7 Draft LPS mapping: technical advice, as set out in Attachment 2.
220. Reason:
- To insert a new SAP and meet the LPS requirements of the SPPs.
 - To apply the SAP overlay consistent with the Commission's Practice Note 7 - Draft LPS mapping: technical advice.

Rural Living Zone A, Attenuation Code overlay (Bridgewater Quarry), and Bridgewater Quarry Specific Area Plan - 21 Harris Road, Brighton

Representation: Patrick Johnson (13)

221. The representors requested that land at 21 Harris Road, Brighton be revised to allow for subdivision of the 1.2ha lot and requested more information about the restrictions on development of the land.

Tasmanian Planning Commission website, under the current assessment and hearings listings. Past decisions can be viewed on the Austlii website.

222. The reasons include:

- there is a road going through the land; and
- subdivision of the land would benefit Aurora, TasWater and the streetscape.

223. In the section 35F report, the planning authority recommended no modification. The reasons include:

- The property at 21 Harris Road and surrounds is proposed to be zoned Rural Living Zone A (having a minimum lot size of 1ha);
- the Attenuation Area for Bridgewater Quarry and Bridgewater Quarry SAP applies to the southern half of the land, and sensitive use is prohibited in this overlay effectively ruling out any dwelling development even if the land could be further subdivided; and
- the Bridgewater Quarry Attenuation Area is based on noise and blasting modelling. The overlay is created to protect the quarry resource. There are some houses closer to the quarry that were most likely developed before the noise buffer was put in place.

224. At the hearing no other information was submitted.

Commission consideration

225. The Commission is satisfied with the planning authority's response and recommendation in the section 35F report.

Commission decision

226. The Commission considers that no modifications are required.

Proposed residential zone and Old Beach Quarry SAP

Representation to originally exhibited draft LPS: Brian Purdon (37)

227. The representor requested that land that is part of the Old Beach Quarry site be revised from the Rural Zone to a residential zone, and provided suggestions on rehabilitation of the quarry site.

228. In the section 35F report, the planning authority recommended no modification is required. The reasons include:

- the Old Beach Quarry SAP is intended to remain in place until the Mining Lease for the quarry ends. Mineral Resources Tasmania (MRT) are responsible for regulating the rehabilitation of the site;
- the future use of the site for residential use is supported by the Brighton Structure Plan 2018 (Site 9) as a primary residential growth option and the use of the Urban Growth Zone, General Residential Zone and a SAP are all flagged as suitable; and
- the land currently sits outside the Urban Growth Boundary in the regional strategy and requires further analysis and consultation with the community which is better suited to the normal planning scheme amendment process under the Act.

229. At the hearing no other information was submitted.

Commission consideration

230. The Commission notes the representor's comments. However, the Commission accepts the planning authority's response and recommendation in the section 35F report.

Commission decision

231. The Commission considers that no modifications are required.

Bushfire-Prone Areas overlay - 36 Killarney Road, Bridgewater

Representation to originally exhibited draft LPS: Ned Kelly (15)

232. In response to the representations to the originally exhibited draft LPS the Commission directed substantial modifications⁸.

233. In the exhibited Brighton draft LPS substantially modified part this matter is referred to as: 8) Bushfire Prone Areas overlay – Bridgewater

Representations to substantially modified part

234. No representations were received.

Commission consideration of substantially modified part

235. As there were no representations the Commission considers the substantially modified part is appropriate.

Commission decision on substantially modified part

236. The Commission considers that no modifications are required to the substantially modified part.

237. Therefore modification is directed to the originally exhibited draft LPS.

238. Modification:

- Delete the bushfire-prone areas overlay from all of the properties outlined in red and listed in the note on Figure 1 on page 23 of the planning authority's further submission of 7 November 2019, as set out in Attachment 2.

239. Reason:

- To apply the bushfire-prone areas overlay consistent with Guideline No. 1.

Attenuation Area overlay - Green Point Sewage Treatment Plant

Representation to originally exhibited draft LPS: TasWater (4)

240. The representor requested that the "Buffer Zone" (the proposed mapped attenuation area) for Green Point Sewage Treatment Plant is removed.

241. The reasons include:

- the overlay is based on Odour Modelling performed by Alex McLeod of Tarkarri Engineering in the report of October 2017 entitled "Brighton Council – Cheswick Cres residential precinct and Barton Cres educational precinct odour emissions modelling of Greens Point WWTP", specifically the 2 odour unit contour within Figure 8-1 (provided as Appendix 9 of the Brighton draft LPS Supporting Report);

⁸ The decision and reasons to substantially modify part of the Brighton draft LPS made on 26 February 2020 has been published on the Tasmanian Planning Commission website. Recent decisions can be viewed on the Tasmanian Planning Commission website, under the current assessment and hearings listings. Past decisions can be viewed on the Austlii website.

- the report is based on the operations and loadings of the plant at a specific point in time, which are subject to change;
 - the report may require updating in the future upon the receipt of any application that would trigger the Attenuation Code;
 - any change in operations of the plant may either require an increase or even a decrease to the size and location of the 2 odour unit contour;
 - this figure, and the odour contours within it, are based on Normal operations, average emission rates and do not take into account upset conditions, which TasWater would usually expect to be factored into any development proposal;
 - using the attenuation distances given in the Attenuation Code would allow Taswater more flexibility to require a site specific investigation and requirements suitable to a development proposal at the time of application; and
 - TasWater do not consider the potential to update the existing report to be overly onerous and would not necessarily require full modelling to be performed from scratch.
242. In the section 35F report the planning authority recommended the mapped attenuation area for Green Point Sewage Treatment Plant be revised to represent the maximum emissions rates as per the 2 odour unit contour in Figure 9.4 of the Odour Modelling Report.
243. The reasons include:
- Council does acknowledge that the attenuation overlay should be based on upset conditions (i.e. worst-case scenario) which is the 2 odour unit contour of Figure 9.4 of the Odour Modelling Report;
 - application of the attenuation area satisfies AC 2 of Guideline No.1;
 - the Odour Modelling Report was prepared for a significant development that still intends to proceed;
 - the Odour Modelling Report has been accepted by TasWater as suitable; and
 - Council, in partnership with other stakeholders has spent approximately \$15,000 on two different odour modelling for the Green Point WWTP. Odour modelling is a specialist field and engaging a suitably qualified person to prepare reports in a timely manner is difficult. There are no guarantees that Council can engage the same consultant to undertake further studies and the modelling may need to start from scratch.
244. The planning authority provided a further submission advising of an error, consequently updating their recommendation that the mapped attenuation area for Green Point Sewage Treatment Plant be revised to represent the maximum emissions rates as per the 2 odour unit contour in Figure 9.4 of the Odour Modelling Report, explaining that the mapped attenuation area proposed in the draft LPS is defined by this contour as intended, so there is no requirement for any modification.
245. The planning authority also provided a map indicating that a wider area, including 130 properties, will be impacted by application of the Attenuation Code 300m Attenuation Distance for the relevant sewage treatment plant process (as advised by TasWater) if the mapped attenuation area is removed.
246. At the hearing no other information was submitted.

Commission consideration

247. The Commission accepts the application of the mapped attenuation area for Green Point Sewage Treatment Plant is supported by the recent odour modelling report by a suitably qualified person, and is consistent with AC 1 and AC 2 of Guideline No.1.
248. The Commission acknowledges the representor's submission seeking flexibility to respond to changing operating conditions, and that a variety of factors may influence whether the plant operations increase or decrease in the future.
249. The Commission concludes that no evidence has been provided to clarify which operating scenario is more likely in the future therefore, no modifications to the proposed application of the Attenuation Code are considered necessary, noting a change in plant operations can be responded to by amending the planning scheme at the appropriate time.

Commission decision

250. The Commission considers that no modifications are required.

Utilities Zone - new Bridgewater Bridge

Representation to originally exhibited draft LPS: Department of State Growth (32)

251. The representor requested that the Utilities Zone is applied to land for the proposed new Bridgewater Bridge instead of the Environmental Management Zone.
252. The reasons provided by the representors included:
 - the land for the new Bridgewater Bridge is identified in the State Road Casement layer on the LIST;
 - a map showing the State Road Casement layer near the Bridgewater Bridge; and
 - application of the Utilities Zone is consistent with Guideline No.1.
253. In the section 35F report the planning authority recommended the zoning of the Bridgewater Bridge corridor over the River Derwent and 36 Old Main Road, Bridgewater (FR 219070/1) be revised to the Utilities Zone as per State Road Casement layer. The reasons include the proposed application of the Utilities Zone is consistent with UZ 2 of Guideline No.1.
254. The planning authority provided a further submission, which included:
 - a map identifying 36 Old Main Road, Bridgewater and showing the recommended revised zone application from the Urban Mixed Use Zone to the Utilities Zone;
 - a map showing two small titles within Brighton municipal area, and a number of titles and an area of the River Derwent outside Brighton municipal area, which are identified as recommended to be revised from no zone or the Environmental Management Zone to the Utilities Zone;
 - advice that the zoning of the Bridgewater Bridge road casement to Utilities Zone is consistent with EMZ 2(e) of Guideline No.1; and
 - advice that Brighton Council has contacted Derwent Valley Council explaining the representation and recommendations about the Bridgewater Bridge area to facilitate discussions on consistency between the adjoining municipal areas.
255. The representor provided a further submission, which included the following comments:
 - there has been no further progress to the new Bridgewater Bridge design and that any updates will be informed by future geotechnical work;

- upon review of the existing concept designs and the draft LPS, the zoning of the following properties should be revised to the Utilities Zone as they are depicted in the State Road Casement:
 - folio of the Register 176824/1;
 - untitled road lot adjoining folio of the Register 176824/1;
 - 36 Old Main Road, Bridgewater; and
 - 4 Nielsen Esplanade, Bridgewater, noting that this property was not included in State Road Casement but has been acquired by State Growth and may be required for the new Bridgewater Bridge in accordance with the existing concept design for the bridge; and
- maps identifying the land recommended to to be rezoned.

256. At the hearing it was clarified that the Utilities Zone is currently applied to folio of the Register 176824/1 and the untitled road lot adjoining folio of the Register 176824/1 in the draft LPS and agreed that no change is required to these properties.

Commission consideration

257. The Commission accepts the evidence of the representor and considers that applying the Utilities Zone to 36 Old Main Road and 4 Nielsen Esplanade, Bridgewater is appropriate. No change to the Utilities zoning of folio of the Register 176824/1 or the untitled road lot adjoining this title is necessary.
258. The Commission accepts the planning authorities recommendation regarding two unreferenced small triangular areas of land on the river bank near the Bridgewater Bridge containing a small wharf (title to the west of the bridge) and a boat launching ramp and jetty (title to the east of the bridge), and considers that applying the Utilities Zone is consistent with UZ 1 of Guideline No.1.
259. The Commission notes that the existing Bridgewater Bridge structure is located in the Derwent Valley municipal area.
260. Section 10 of the Act makes clear that the LPS, as a part of the Tasmanian Planning Scheme, can only apply in relation to a municipal area. A municipal area is defined by the maps in the Central Plan Register (CPR) and in accordance with section 16(3) of the Act also includes:
- (a) any accretion from the sea adjoining it; and*
 - (b) any part of the sea-shore to the low-water mark adjoining it; and*
 - (c) any bridge, jetty, wharf, boat-house, or other structure, that –*
 - (i) adjoins the municipal area; or*
 - (ii) is situated partly within a municipal area and partly on or over an area of the seabed that is adjacent to the municipal area –*
- and any area of land, adjoining the bridge, jetty, wharf, boat-house, or other structure, over which has been granted a right to occupation of the seabed, which right is necessary to enable the use of the bridge, jetty, wharf, boat-house, or other structure.*
261. The majority of the area of the River Derwent proposed to be revised to the Utilities Zone is outside the municipal area and the zone map should be revised to remove any zone shown outside the municipal area.
262. The Commission notes that the process of designing and planning the new Bridgewater Bridge is not complete and the location of the structure is unclear at this stage, therefore it is

premature to consider the extent to which section 16(3) of the Act may be relevant to the zone map.

Commission decision

263. Modification:

- Revise the zoning of 36 Old Main Road, Bridgewater to the Utilities Zone;
- Revise the zoning of 4 Nielsen Esplanade, Bridgewater to the Utilities Zone;
- Revise the zoning of two unreferenced small triangular areas of land on the river bank near the Bridgewater Bridge containing a small wharf (title to the west of the bridge) and a boat launching ramp and jetty (title to the east of the bridge) to the Utilities Zone as shown in Figure 1 below; and
- Revise the zone map to remove any zone shown outside the Brighton municipal area, as shown in Figure 1 below:

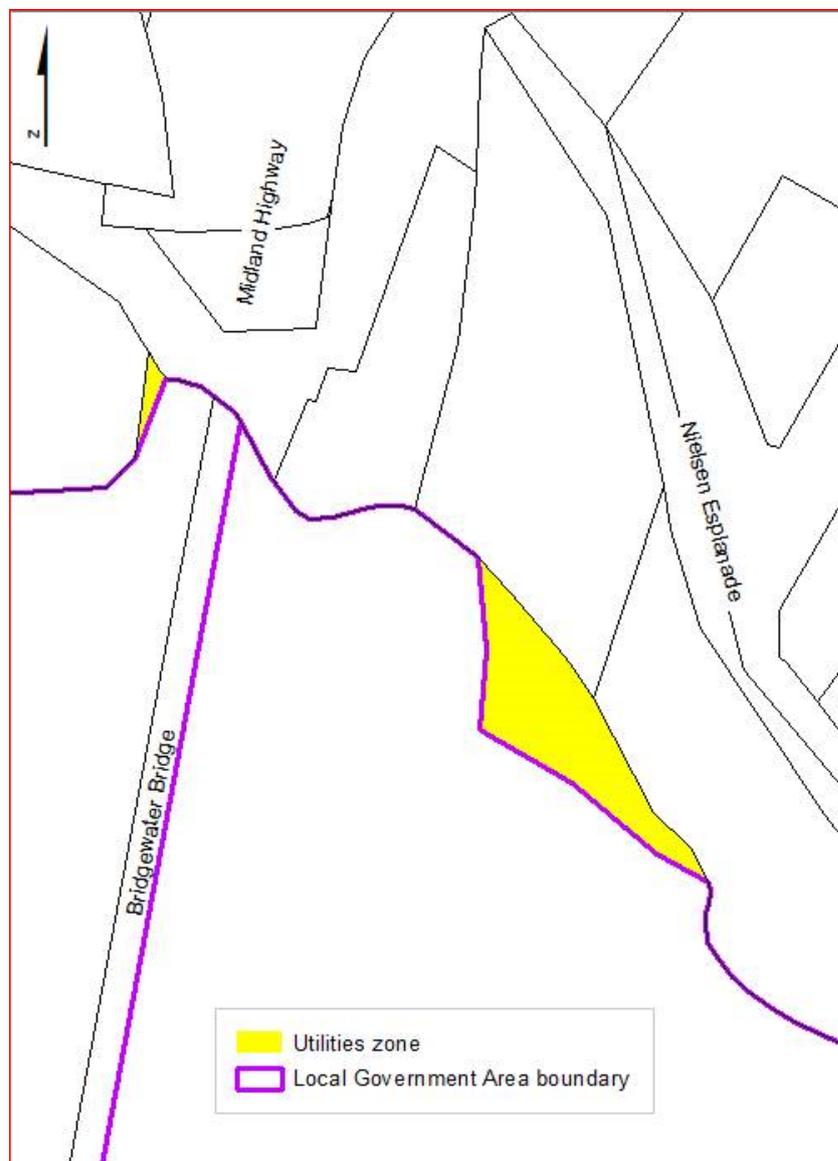


Figure 1 Application of the Utilities Zone to land near the Bridgewater Bridge

264. Reason:

- To apply the Utilities Zone consistent with Guideline No. 1.
- To meet the requirements of section 10 of the Act.

Department of State Growth – zoning – various - land outside the State Road Casement layer

Representation to originally exhibited draft LPS: State Growth (32)

265. The representor requested that the zone application to three titles is revised as follows:

- (a) folio of the Register 108441/1 at William Street, Brighton should be revised to the General Residential Zone instead of the Utilities Zone;
- (b) folio of the Register 164315/1 at Midland Highway should be revised to the Environmental Management Zone instead of the Rural Zone; and
- (c) folio of the Register 162615/1 at Midland Highway should be revised to the Environmental Management Zone instead of the Recreation Zone.

266. The reasons included:

- the land is not part of the State Road network identified in the State Road Casement Layer on theLIST;
- folio of the Register 108441/1 at William Street, Brighton is fully serviced and adjacent to land in the General Residential Zone; and
- folios of the Register 164315/1 and 162615/1 at Midland Highway contain environmental offsets.

267. In the section 35F report, the planning authority recommended no modification to the zoning of folio of the Register 108441/1 at William Street, Brighton as part of the draft LPS process. The planning authority stated that, while the proposed zone change to the northern part of the lot is generally supported, it should go through the normal rezoning process with input from TasWater, TasRail and the community.

268. In the section 35F report, the planning authority recommended the Environmental Management Zone is applied to folios of the Register 164315/1 and 162615/1 at Midland Highway. The reasons include:

- the Department of State Growth provided further explanation that the conservation sites were established through the Commonwealth approvals for the Brighton Bypass under the *Environmental Protection and Biodiversity Act 1999* for both the southern and northern sections of the upgrade. Both permits required the creation of grassland reserves specifically to preserve populations of the *Dianella amoena* grassland flax lily. Folio of the Register 164315/1 is known as BTN03 and folio of the Register 162615/1 is known as BTN12.
- the lots meet EMZ 1(e) of Guideline No.1.

269. At the hearing the representor clarified that folio of the Register 108441/1 at William Street, Brighton would require subdivision before the northern part of the lot could be traded for another purpose.

Commission consideration

270. The Commission accepts the recommendation of the planning authority that rezoning of part of folio of the Register 108441/1 at William Street, Brighton is premature until the land is ready to be subdivided.

271. The Commission accepts the further information and recommendation of the planning authority that supports application of the Environment Management Zone to folios of the Register 164315/1 and 162615/1 at Midland Highway.

Commission decision

272. The Commission considers that no modifications are required to FR 108441/1 at William Street, Brighton.
273. Modification:
- Revise the zoning of folios of the Register 164315/1 and 162615/1 at Midland Highway to the Environmental Management Zone.
274. Reason: To apply the Environmental Management Zone consistent with Guideline No. 1.

Planning requirements – various – proposed new high school in Brighton

Representation to originally exhibited draft LPS: Department of Education (33)

275. The representor requested that the draft LPS consider and support the development of a new high school in Brighton municipality.
276. The reasons include the State Government has announced that a new high school will be built in Brighton, initial planning and consultation for the new school has commenced, and suitable locations are being explored.
277. In the section 35F report the planning authority recommended no modification to the draft LPS. The reasons include:
- the State Government has not committed to a site for the new high school;
 - it would be premature to zone any sites to accommodate the new high school until there is commitment on a single site; and
 - Council's preferred site is the existing Brighton School Farm Site which is subject to the BRI-P2.0 Particular Purpose Zone – School Farm where Education and Occasional Care is a Permitted Use.
278. At the hearing no other information was submitted.

Commission consideration

279. The Commission notes the planning authority's comments in the section 35F report and considers modification of the zoning or provisions of the draft LPS is premature at this stage until a site for the new high school has been determined.

Commission decision

280. The Commission considers that no modifications are required.

Coastal Inundation Hazard Code – provisions of BRI-Table C11.1

Representation to originally exhibited draft LPS: State Emergency Service (6)

281. The representor requested that the draft LPS be amended to comply with the requirements of the Commission's Practice Note 5: Tasmanian Planning Scheme drafting conventions, to ensure the Coastal Hazards Technical Report is correctly incorporated into the draft LPS.
282. The reasons include:

- the supporting report states that the Australian Height Datum (AHD) levels for the coastal inundation hazard bands have been provided in a table in the draft LPS. However, BRI-Table C11.1 Coastal Inundation Hazard Bands AHD Levels is empty of data and states that it is not used in this LPS. This statement could imply that there are no relevant AHD levels for the coastal inundation hazard overlay, which is not the case; and
 - the Department of Premier and Cabinet (DPAC) Mitigating Natural Hazards through Land Use Planning and Building Control - Coastal Hazards Technical Report, 1 December 2016 – appendix 9 coastal inundation hazard band levels (Coastal Hazards Technical Report) is not referenced in the draft LPS.
283. In the section 35F report the planning authority recommended no modifications to the draft LPS. The reasons include:
- the Coastal Inundation Hazard Code is applied by reference to the coastal inundation hazard area overlay, which includes land within the three coastal inundation hazard bands (low, medium or high) or within a coastal inundation investigation area. Council has obtained the 'Coastal Inundation Hazard Area Bands 20161201' layer published on theLIST consistent with CIHC 1 of the Guidelines; and
 - BRI-Table C11.1 only applies to land within a coastal inundation investigation area. There are no coastal inundation investigation areas in the Brighton municipality and therefore the table is not required in the draft LPS.
284. At the hearing the representor clarified, the intended request is for BRI-Table C11.1 to be populated consistent with DPAC's Appendix 9 cited above, rather than the Coastal Hazards Technical Report to be included in the Applied, Adopted, Incorporated Documents table of the draft LPS.
285. The representor submitted that the table provides the numerical description of the inundation hazard mapping, and further submitted:
- the table assists with understanding tolerable risk – AHD is the description of what it looks like;
 - the table is used for areas where there are investigation areas; and
 - the draft Directors Determination refers to this table as providing the minimum final finish floor area for all habitable structures in the hazard bands. Therefore, if the table is blank, then the Directors Determination will not work properly in the building regulation space. The draft Directors Determination uses planning scheme maps to activate or trigger the building elements of the Building Regulations, and the draft Directors Determination is waiting until a draft LPS is approved to have effect.
286. At the hearing, the representor conceded that the table is not directly called up by the provisions in the Coastal Inundation Hazard Code, unless for a coastal inundation investigation area. However, the representor submitted it was envisioned that when interpreting the standards in the Code, for example clause C11.5.1 P1.2 where discretion is being exercised with regard to tolerable risk, the table would be used in making a decision on whether tolerable risk can be achieved and maintained.

Commission consideration

287. The Commission considers that the SPPs do not require BRI-Table C11.1 to be populated with the data from DPAC's Appendix 9, as there are no investigation areas in Brighton and the table has no work to do in the LPS in applying the Coastal Inundation Hazard Code in Brighton.

288. However, the Commission notes the representor's concern that the table is called upon by a Director's Determination under the *Building Act 2016*. In terms of populating Table C11.1 with data in municipalities where there are no investigation areas, the Commission considers that modifications should be made to insert data into BRI-Table C11.1 in accordance with the AHD levels published on the DPAC website to assist interpretation and application of the *Building Act 2016*.

Commission decision

289. Modification:

- In BRI-Table C11.1 Coastal Inundation Hazard Bands AHD Levels, delete 'This table is not used in this Local Provisions Schedule' and insert localities and numbers in accordance with the AHD levels published on the DPAC website.

290. Reason: To assist interpretation and application of a Director's Determination under the Building Act 2016.

Zoning and Natural Assets Code priority vegetation overlay - 29 Pegasus Drive, Dromedary

Representation to originally exhibited draft LPS: Stacey Peters (7)

291. The representors requested that the zone application to 29 Pegasus Drive, Dromedary is revised to an unspecified zone instead of the Landscape Conservation Zone and the Rural Living Zone B (split zoned lot). The representor also questioned whether the Natural Assets Code should be applied to the land.

292. In the section 35F report the planning authority recommended no modification to the application of the zones or code to the land. The reasons include:

- In the interim planning scheme, the property is split zoned Rural Living Zone and Environmental Living Zone. The front half of the property is developed by a house and is within the Rural Living Zone. The rear half of the property is zoned Environmental Living Zone and is characterised by bushland on the upper slopes of the Dromedary hills.
- The zoning has been applied in the draft LPS in according to Guideline No.1. Other "less restrictive" options would not satisfy the zone guidelines in Guideline No.1.
- The priority vegetation area within the Natural Assets Code has been applied to the property in accordance with the Regional Ecosystem Modelling as described in section 4.5 of the supporting report.

293. At the hearing no other information was submitted.

Commission consideration

294. The Commission notes the concerns of the representor. However, the Commission accepts the recommendations and reasons of the planning authority and considers no modification to the zoning or overlay mapping of the land.

Commission decision

295. The Commission considers that no modifications are required.

The recommendations of the planning authority under section 35F(e) of the Act in relation to the originally exhibited draft LPS:

Landscaping Specific Area Plan – proposed for all urban zones

296. In the section 35F report, the planning authority recommended inserting a Landscaping Specific Area Plan over all the urban zones within the municipal area and provided a draft Landscaping SAP for consideration. The reasons include:
- the proposed SAP satisfies section 32(4)(b) of the Act as the areas of land have significant environmental, economic, social and spatial qualities that require provisions, that are unique to the area of land, that require an addition to the provisions of the SPPs;
 - due to the current and expected high growth and existing urban realm issues, Council consider it critical that landscaping be provided to promote a desirable living environment and improve health and wellbeing within the community. This is particularly important in Brighton as a growth/affordable suburb and low-cost development is prevalent. Often landscaping is a low-cost way of improving the urban realm, particularly when the built form is lacking. There are also many other well documented benefits of having green urban areas;
 - Council has endorsed a Greening Brighton Strategy 2016-2021 and its implementation is encouraged by the Brighton Strategic Plan 2018. An action of the Greening Brighton Strategy is to prepare landscaping guidelines for multiple dwelling and commercial developments and subdivisions. The requirement for landscaping is critical for these actions to be implemented;
 - the proposed SAP is consistent with the regional strategy policies ROS 1, ROS 1.5, ROS 1.6, LUTI, LUTI 1.11, AC 1, AC 1.4, AC 1.5, AC 1.8, AC 3, AC 3.1;
 - the proposed SAP will apply to all urban zones listed within the Landscaping SAP (General Residential Zone, Inner Residential Zone, Low Density Residential Zone, Village Zone, Urban Mixed Use Zone; Local Business Zone, and General Business Zone); and
 - the proposed SAP will be identical to the current landscaping requirement in clause E6.7.8 of the Parking and Access Code in the interim planning scheme and also provide for street tree plantings in subdivisions.
297. At the hearing the planning authority acknowledged that application of the proposed SAP could be further refined so it applies to more specific areas, such as particular suburbs or larger residential sites, but at this stage have not done any further analysis beyond identifying that the SAP should apply to urban zones.
298. At the hearing the planning authority clarified that the provisions of the SAP are intended to apply to multiple dwellings because the 5 car parking spaces required by the Parking and Sustainable Transport Code will trigger the provisions of the SAP.

Commission consideration

299. The Commission notes the intent of the SAP.
300. The Commission finds that the planning authority's recommendation to insert a Landscaping SAP into the draft LPS does not meet the LPS Criteria under section 34(2) of the Act. The Commission is not satisfied that the supporting documentation in the planning authority's section 35F report, nor the evidence given at the hearing provides justification to meet the requirements of section 32(4) of the Act.

301. The Commission finds no particular spatial qualities have been demonstrated that would require all of the urban zones, comprising General Residential, Inner Residential, Low Density Residential, Village, Urban Mixed Use, Local Business and General Business zones, across the whole municipal area, to contain provisions in a SAP in addition to the SPPs.

Commission decision

302. The Commission considers that no modifications are required.

Amendments to Brighton Interim Planning Scheme 2015 - RZ2018-02 and RZ 2018-03 – various

303. In the section 35F report the planning authority recommended that two amendments to the interim planning scheme, approved since submission of the Brighton draft LPS to the Commission, should be included in the draft LPS.
304. The planning authority attached copies of the two approved amendments as follows:
- Amendment RZ2018-02: Insert 23 Menin Drive and 241 Brighton Road, into Table E13.1 Heritage Places of the Historic Heritage Code and rezone folio of the Register 176693/100 Brighton Road, Brighton from the Community Purpose Zone to the General Residential Zone; and
 - Amendment RZ 2018-03: Rezone 13 Gage Road, Gagebrook from the General Residential Zone to the Local Business Zone.
305. In the section 35F report the planning authority recommended the following modifications:
- Insert 23 Menin Drive and 241 Brighton Road into BRI-Table C6.1 Local Heritage Places in accordance with approved text in the written LPS document;
 - Modify the zoning of folio of the Register 176693/100 Brighton Road, Brighton from the Community Purpose Zone to the General Residential Zone consistent with the approved amendment map; and
 - Rezone 13 Gage Road, Gagebrook from the General Residential Zone to the Local Business Zone.
306. The planning authority provided a further submission on 7 November 2019 clarifying how the draft LPS written document is intended to be modified, to provide for the effect intended by approved amendment RZ2018-02, in accordance with the structure of the LPS required by clause LP1.0 Local Provisions Schedule Requirements. The further submission also included two new rows of text to be inserted in BRI-Table C6.1 Local Heritage.

Commission consideration

307. The Commission acknowledges that the interim planning scheme was revised through a statutory process that included public exhibition of approved changes. The Commission finds that the recent amendments are suitable to be included in the draft LPS as recommended by the planning authority in the section 35F report and its further submission.
308. The Commission notes that the reference numbers provided in the further submission do not fit the reference number sequence in the draft LPS and should be revised accordingly.

Commission decision

309. Modification:

- In table BRI-Table C6.1 Local Heritage Places, insert two rows at the end of the table with reference numbers BRI-C6.1.71 and BRI-C6.1.72, and complete the two new rows with text in the subsequent columns as shown on page 31 of Attachment 1, in the planning authority's further submission of 7 November 2019;
- Revise the zoning of folio of the Register 176693/100 Brighton Road, Brighton to the General Residential Zone; and
- Revise the zoning of 13 Gage Road, Gagebrook to the Local Business Zone.

310. Reason:

- To apply the Local Historic Heritage Code consistent with Guideline No.1.
- To apply the General Residential Zone consistent with Guideline No.1.
- To apply the Local Business Zone consistent with Guideline No.1.
- To meet the LPS requirements of the SPPs.

Other matters

Representations in support to the originally exhibited draft LPS

Agriculture Zone and protection of farming - 99 Baskerville Road, Old Beach

Representation: Brian Purdon (37)

311. The representor supports application of the Agriculture Zone to 99 Baskerville Road, Old Beach.
312. In the section 35F report, the planning authority recommended no modification to the zoning of 99 Baskerville Road, Old Beach.
313. At the hearing no other information was submitted.

Commission consideration

314. The Commission notes the representor's comments are in support of the proposed zoning and is satisfied with the planning authority's response and recommendation in the section 35F report.

Commission decision

315. The Commission considers that no modifications are required.

Matters taken not to be a representation to the originally exhibited draft LPS

Representations: Kruger (14), Lance and Sue Roper (24), Brian Purdon (37), TasNetworks (5), State Emergency Service (6)

316. Representors raised a matter about the supporting report incorrectly citing the Baskerville Quarry SAP, not the Baskerville Raceway SAP.
317. In the section 35F report the planning authority provided clarification on this matter, stating the title was incorrect in the supporting report.

Representation: Brian Purdon (37)

318. The representor provided suggestions about how to protect farming.

319. In the section 35F report, the planning authority recommended no modifications. The reasons include the majority of the content of the representation relates to standards provided for in the SPPs and as there are no special circumstances that would require local controls over the land no modifications are required.
320. At the hearing no other information was submitted.

Representation: TasNetworks (5)

321. Discussion on facilitating development of electricity transmission infrastructure state wide via exemptions or Permitted Use Class status for Utilities in zones or a revised code.
322. Discussion about the application of the Landscape Conservation Zone in accordance with Guideline No. 1 and the impact on the operation of electricity transmission infrastructure, and the development potential for existing corridors.

Representation: State Emergency Service (6)

323. Application, operation and interpretation of the Flood-Prone Areas Code, with particular reference to the State Government's Tasmanian Flood Mapping Project being prepared by the State Emergency Service (SES), expected to be completed in 2020, and sources of the best available flood hazard information.
324. In the section 35F report the planning authority acknowledges that the flooding overlay has been provided in accordance with Guideline No.1, and at this point in time remains the most contemporary information available to form the basis for the mapping.

Commission consideration

325. The Commission notes that:
- section 35E of the Act sets out the matters not to be taken to be a representation;
 - other matters not subject to Part 3A of the Act cannot be considered as part of its consideration under section 35J; and
 - during its consideration has sought to establish how all raised matters relate to the draft LPS and if the matter can be included within the draft LPS in accordance with section 32 of the Act.
326. The Commission considers that the parts of representations listed above are outside the considerations under section 35J.

Commission decision

327. The Commission considers that no modifications are required.

Matters taken not to be a representation to the substantially modified part

Representations: TasRail (1), State Emergency Service (2)

328. The representors made numerous comments, including on aspects of the Brighton draft LPS that are not the substantially modified part.
329. In the section 35F report the planning authority made no specific recommendations on these matters.

Commission consideration

330. The Commission notes that:

- section 35E of the Act sets out the matters not to be taken to be a representation;
- other matters not subject to Part 3A of the Act cannot be considered as part of its consideration under section 35J; and
- during its consideration, it has sought to establish how all raised matters relate to the draft LPS substantially modified part and if the matter can be included within the draft LPS substantially modified part under section 32 of the Act.

331. The Commission considers that the parts of representations listed above are outside the considerations under section 35J.

Commission decision

332. The Commission considers that it does not have jurisdiction to assess these matters.

Matters of a technical nature or relevant to implementation

333. The Commission notes the originally exhibited draft LPS contains matters that are relevant to section 35J(2) of the Act:

- minor numbering and typographical errors in the draft LPS;
- instances where the draft LPS, or proposed modifications, do not apply the writing style and conventions set out in the Commission's Practice Note 5: Tasmanian Planning Scheme drafting conventions or Practice Note 8: Draft LPS written document - technical advice;
- instances where the draft LPS zone and overlay maps or Geographic Information System (GIS) datasets contain overlaps, gaps and errors, or do not apply the technical advice or conventions set out in the Commission's Practice Note 7: Draft LPS mapping; technical advice;
- instances where the spatial representation of the cadastral parcels dataset have changed after the production of the PDF maps for exhibition that result in minor misalignment between cadastral parcel boundaries and zones or code overlays based on those boundaries;
- instances where the draft LPS zone and overlay maps or Geographic Information System (GIS) datasets apply outside the municipal area; and
- instances where a modification to the draft LPS written document or draft LPS maps and overlays requires a consequent modification to the other.

334. The Commission further notes that Division 1 – Electronic database and documents of Part 6 of the Act, requires the Commission to maintain a database containing an electronic planning map.

Commission consideration of the originally exhibited draft LPS

335. The Commission considers that the draft LPS should:

- minimise numbering and typographical errors and be consistent with the conventions set out in the Commission practice notes; and
- contain zone and overlay maps that reflect current cadastral parcel boundaries, and the municipal area according to the Central Plan Register (CPR) map (including notes), current low water mark map on theLIST, and any areas described by section 35J(2) of the Act; and

- anomalies such as gaps and overlaps and be provided in a form suitable for being made under section 35L of the Act and inclusion in an electronic database.

Commission consideration of substantially modified part

336. The Commission notes the Brighton draft LPS substantially modified part itself does not contain any matters that are relevant to section 35J(2) of the Act, however there are instances where the Brighton draft LPS substantially modified part require a consequent modification to the draft LPS maps.
337. The Commission considers that modifications of a technical nature consequential to inclusion of the Brighton draft LPS substantially modified part in the original draft LPS or relevant to the implementation of the LPS if the LPS were approved under section 35L of the Act, should be directed with other technical modifications to the draft LPS in a combined notice under section 35K(1)(a).

Commission decision on originally exhibited draft LPS

338. Modification:

- revise the draft LPS written document to include the technical modifications identified in Attachment 2, Annexure A to:
 - meet the LPS requirements of the SPPs;
 - correct references to relevant provisions;
 - provide for the effective operation of the provisions; and
 - reflect the terminology used in the SPPs; and
- revise the draft LPS zone and overlay maps to:
 - reflect modifications consequential to modifications made to the draft LPS to include the Brighton draft LPS substantially modified parts;
 - reflect modifications consequential to modifications made to the draft LPS written document, such as insertion of local heritage listed places;
 - fill any unzoned gaps in the zoning layer;
 - remove any overlaps between adjoining zones;
 - remove any overlaps between features in the same overlay layers that have different categories (excluding for transitioning local area objectives of SAPs and PPZ), such as; coastal inundation investigation areas and low coastal inundation hazard band;
 - aggregate adjoining zone or overlay polygons sharing the same category, such as, zone type, landslip hazard band, and aggregate adjoining overlay polygons that have no required category, such as, priority vegetation area;
 - align the boundaries of zones and parcel dependant overlays with parcel boundaries, based on the most recent version of the cadastral parcels dataset available from theLIST;
 - remove any zone or overlay shown outside the municipal area according to the Central Plan Register (CPR) map (including notes), current low water mark map on theLIST, and any areas described by section 35J(2) of the Act; and
 - present all GIS data in the recommended Geodatabase format provided to council by the Commission.

339. Reason: To make modifications of a technical nature or relevant to the implementation of the Local Provisions Schedule if the Local Provisions Schedule were approved under section 35L of the Act.

Attachments

1. Attachment 1 – List of Representations
2. Attachment 2 - Notice under section 35K(1)(a) to modify draft LPS
3. Attachment 2, Annexure A - Modifications to Brighton draft LPS written document

Attachment 1**List of Representations****Representations to the originally exhibited draft LPS**

No	Name
1.	WW Tas Pty Ltd
2.	Vic and Kim Saulis
3.	Trevor and Catherine Jones
4.	TasWater
5.	TasNetworks
6.	State Emergency Service
7.	Stacey Peters
8.	Shan and Debbie Chaplin
9.	Robyn Whelan for Twelve Stones Pty Ltd
10.	Regulus Fogagnolo
11.	Phil and Fiona Kuhne
12.	Peter and Brenda Bosworth
13.	Patrick Johnson
14.	Nicole Kruger
15.	Ned Kelly
16.	Naomi Billet for P Smith
17.	Michael Whelan
18.	Michael Ball for SM Roberts
19.	David and Phillipa McCulloch
20.	Mark Jakins
21.	Mark and Cindy Johnston
22.	Les Burbury
23.	Lark and Creese Pty Ltd
24.	Lance and Sue Roper
25.	JMG Engineers & Planners for Don't and Young Pty LTd
26.	Jessica Whelan
27.	Jenna Pogorzelski
28.	IreneInc Planning & Urban Design
29.	Gray Planning for Rob Megens
30.	Gavin Whitney
31.	ERA Planning and Environment for Cooltrans Pty Ltd
32.	Department of State Growth

- 33. Department of Education
- 34. Colin and Judi Adams
- 35. Carbon Products Pty Ltd
- 36. Bruce Whelan
- 37. Brian Purdon
- 38. Boral Land & Property Group
- 39. Aaron Wells

Representations to the substantially modified part of draft LPS

- | No | Name |
|-----------|-------------------------------|
| 1. | TasRail |
| 2. | State Emergency Service (SES) |
| 3. | Department of State Growth |
| 4. | Phill Smith |

Attachment 2

Land Use Planning and Approvals Act 1993

Notice to modify under section 35K(1)(a)

Brighton Draft LPS

3 February 2021

Annexure A

Modifications to Brighton draft LPS written document

Land Use Planning and Approvals Act 1993 (the Act)

Direction to Modify under section 35K(1)(a)

Brighton Draft LPS

3 February 2021

The Tasmanian Planning Commission (the Commission) directs that the Brighton planning authority modify the Brighton draft Local Provisions Schedule (draft LPS) in accordance with the following:

1.0 Specific Area Plans

1.1 BRI-S5.0 Old Beach Quarry Specific Area Plan

Revise the heading for clause BRI-S5.6.1 from 'Residential use' to 'Sensitive use', as set out in Annexure A.

Reason: To improve clarity of interpretation and provide for the effective operation of the provisions.

1.2 BRI-S4.0 Bridgewater Quarry Specific Area Plan

Revise the heading for clause BRI-S4.6.1 from 'Residential Use' to 'Sensitive Use', as set out in Annexure A.

Reason: To correct an error.

To improve clarity of interpretation and provide for the effective operation of the provisions.

1.3 BRI-10.0 Brighton Industrial Hub Specific Area Plan

Insert BRI-S10.0 Brighton Industrial Hub Specific Area Plan into the Brighton draft LPS, as set out in Annexure A.

Reason: To insert a new SAP and meet the LPS requirements of the SPPs.

2.0 Site-specific Qualifications

2.1 In BRI-19.1, revise the Site reference to read 'Part of 1 Parkholme Drive and 314 Midland Highway, Bridgewater', as set out in Annexure A.

Reason: To improve clarity of interpretation and to provide for the effective operation of the SSQ, BRI-19.1.

3.0 Code lists

3.1 In table BRI-Table C6.1 Local Heritage Places, insert two rows at the end of the table with reference numbers BRI-C6.1.71 and BRI-C6.1.72, and complete the two new rows with text in the subsequent columns as shown on page 31 of Attachment 1, in the planning authority's further submission of 7 November 2019, as set out in Annexure A.

Reason: To apply the Local Historic Heritage Code consistent with Guideline No.1.

To meet the LPS requirements of the SPPs.

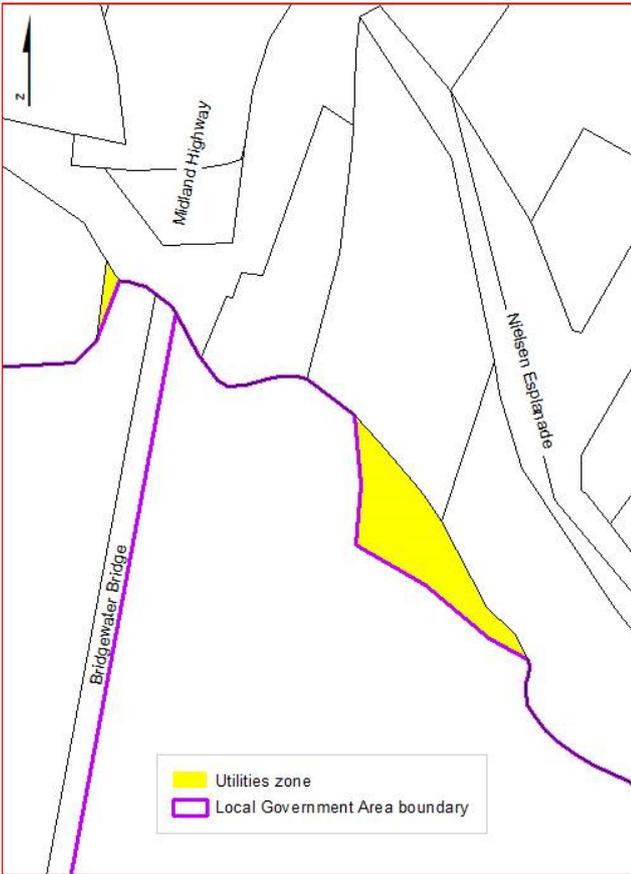
3.2 In BRI-Table C11.1 Coastal Inundation Hazard Bands AHD Levels, delete 'This table is not used in this Local Provisions Schedule' and insert localities and numbers in accordance with the AHD levels published on the DPAC website, as set out in

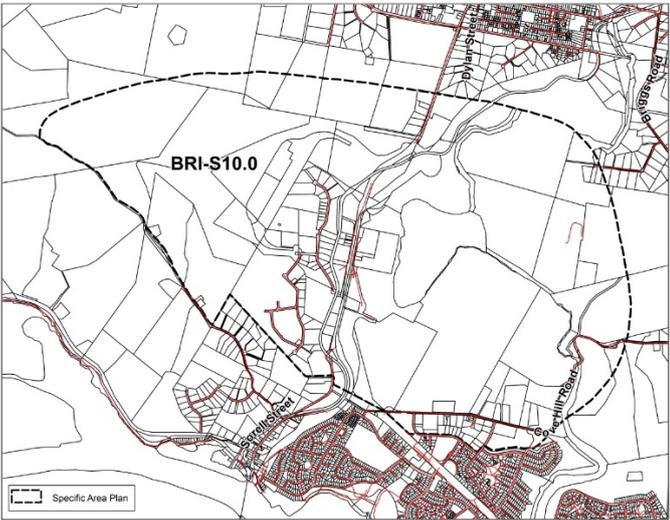
Annexure A.

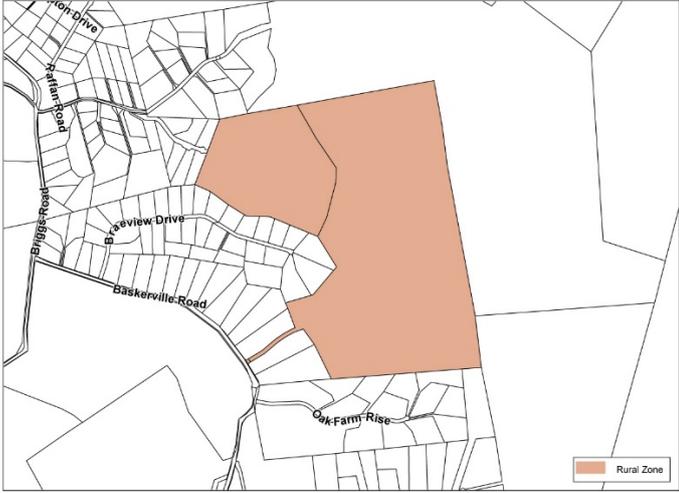
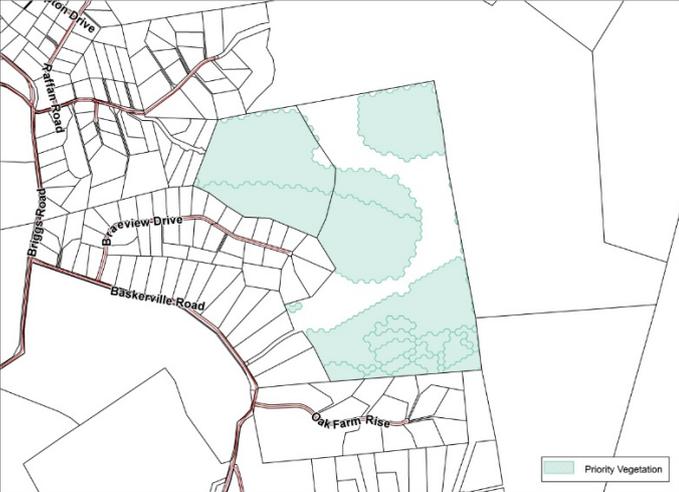
Reason: To assist interpretation and application of a Director's Determination under the Building Act 2016.

4.0 Zone maps and overlays

No.	Description	Direction and Reason
3.1	14 Tarquin Road, Honeywood	<p>Revise the zoning of part of 14 Tarquin Road, Honeywood to the Rural Living Zone A as shown in Figure 7 on page 7 of the planning authority's further submission of 3 December 2019; and</p> <p>Insert split zone boundary annotations to define the point 700m along the south boundary from the most south western point, consistent with the Commission's Practice Note 7, Draft LPS mapping: technical advice.</p> <p><i>Reason: To correct an error.</i></p> <p><i>To apply the Rural Living Zone A to part of 14 Tarquin Road, Honeywood consistent with Guideline No. 1.</i></p> <p><i>To apply zoning at boundaries consistent with the Commission's Practice Note 7 - Draft LPS mapping: technical advice.</i></p>
3.2	Part of 356 Baskerville Road, Old Beach	<p>Revise part of 356 Baskerville Road, Old Beach to the Rural Living Zone B as shown in Figure 4 on page 5 of the planning authority's further submission of 3 December 2019; and</p> <p>Insert split zone boundary annotations on the zone map to define the zone boundary based on the location of a post and wire fence, consistent with the Commission's Practice Note 7, Draft LPS mapping: technical advice.</p> <p><i>Reason: To apply the Rural Living Zone B to part of 356 Baskerville Road, Old Beach consistent with Guideline No. 1.</i></p> <p><i>To apply zoning boundaries consistent with the Commission's Practice Note 7 - Draft LPS mapping: technical advice.</i></p>
3.3	214 Old Beach Road, Old Beach	<p>Revise the zoning of 214 Old Beach Road, Old Beach to the Rural Living Zone A; and</p> <p>Annotate the zone map consistent with Commission's Practice Note 7 Draft LPS mapping: technical advice.</p> <p><i>Reason: To apply the Rural Living Zone A consistent with the purpose of the zone and Guideline No. 1.</i></p>
3.4	Part of 23 Weily Park Road, Bridgewater	<p>Delete the priority vegetation area overlay from the northern part of 23 Weily Park Road, Bridgewater, consistent with the pink line shown on the map on page 4 of the planning authority's section 35F report.</p> <p><i>Reason: To apply the priority vegetation area overlay consistent with Guideline No. 1.</i></p>
3.5	State Road infrastructure – various locations	<p>Revise the zoning of the following sites to the Utilities Zone:</p> <ul style="list-style-type: none"> – 36 Old Main Road, Bridgewater;

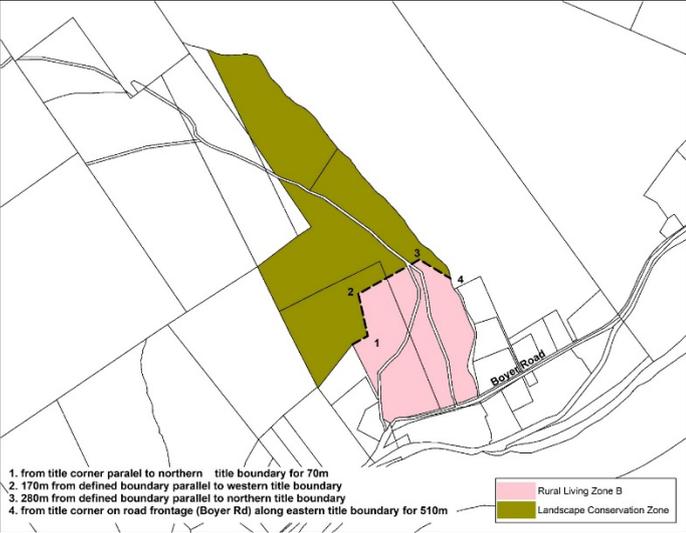
No.	Description	Direction and Reason
		<ul style="list-style-type: none"> - 4 Nielsen Esplanade, Bridgewater; and - two unreferenced small triangular areas of land on the river bank near the Bridgewater Bridge containing a small wharf (title to the west of the bridge) and a boat launching ramp and jetty (title to the east of the bridge) to the Utilities Zone as shown in Figure 1 below.  <p><i>Figure 1: Application of the Utilities Zone to land near the Bridgewater Bridge</i></p> <p><i>Reason: To apply the Utilities Zone consistent with Guideline No. 1.</i></p>
3.6	New Bridgewater Bridge road casement	<p>Revise the zone map to remove any zone shown outside the Brighton municipal area, as shown in Figure 1 above.</p> <p><i>Reason: To meet the requirements of section 10 of the Act.</i></p>
3.7	folios of the Register 164315/1 and 162615/1 at Midland Highway	<p>Revise the zoning of folios of the Register 164315/1 and 162615/1 at Midland Highway to the Environmental Management Zone.</p> <p><i>Reason: To apply the Environmental Management Zone consistent with Guideline No. 1.</i></p>
3.8	folio of the Register 176693/100 Brighton Road, Brighton	<p>Revise the zoning of folio of the Register 176693/100 Brighton Road, Brighton to the General Residential Zone.</p>

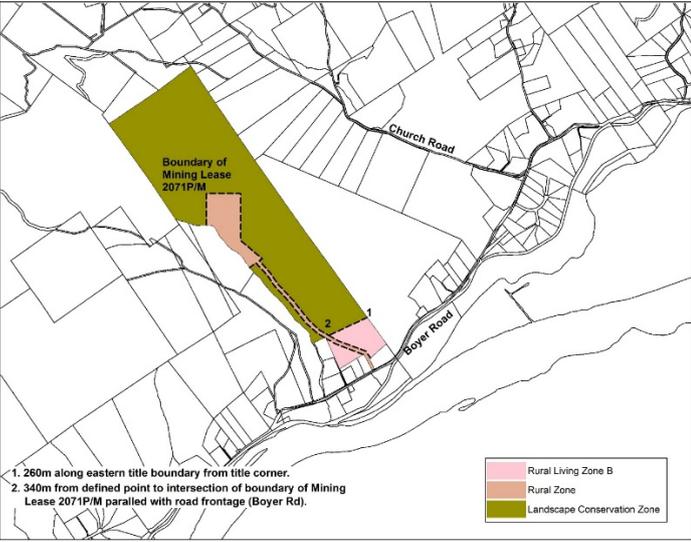
No.	Description	Direction and Reason
		<p><i>Reason: To apply the General Residential Zone consistent with Guideline No. 1.</i></p>
3.9	13 Gage Road, Gagebrook	<p>Revise the zoning of 13 Gage Road, Gagebrook to the Local Business Zone.</p> <p><i>Reason: To apply the Local Business Zone consistent with Guideline No. 1.</i></p>
3.10	Brighton Industrial Hub Specific Area Plan	<p>Insert the BRI-S10.0 Brighton Industrial Hub Specific Area Plan overlay, consistent with the area shown on page 21 of the planning authority’s further submission of 7 November 2019, and with the relevant annotation consistent with the Commission’s Practice Note 7 Draft LPS mapping: technical advice, as shown in Map 1 below:</p>  <p><i>Map 1: Application of BRI-S10.0 Brighton Industrial Hub Specific Area Plan</i></p> <p><i>Reason:</i></p> <p><i>To insert a new SAP and meet the LPS requirements of the SPPs.</i></p> <p><i>To apply the SAP overlay consistent with the Commission’s Practice Note 7 - Draft LPS mapping: technical advice.</i></p>
3.11	20 Dokdo Rise and 530B Baskerville Rd, Honeywood	<p>(a) Revise zoning of 20 Dokdo Rise and 530B Baskerville Road, Honeywood to the Rural Zone, as shown on Map 2 below:</p>

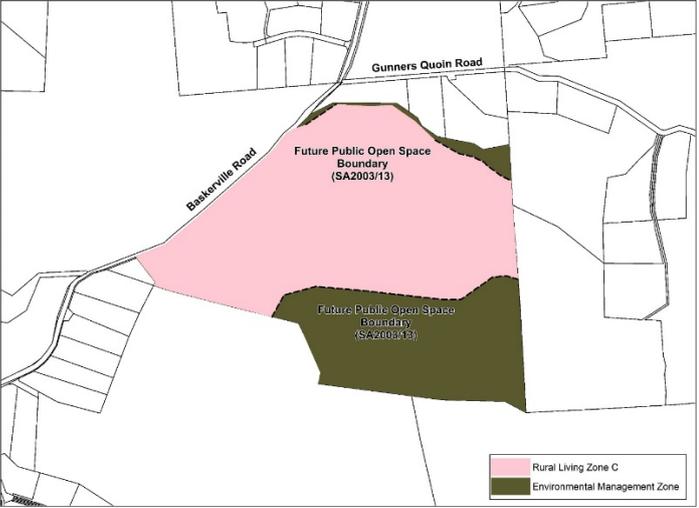
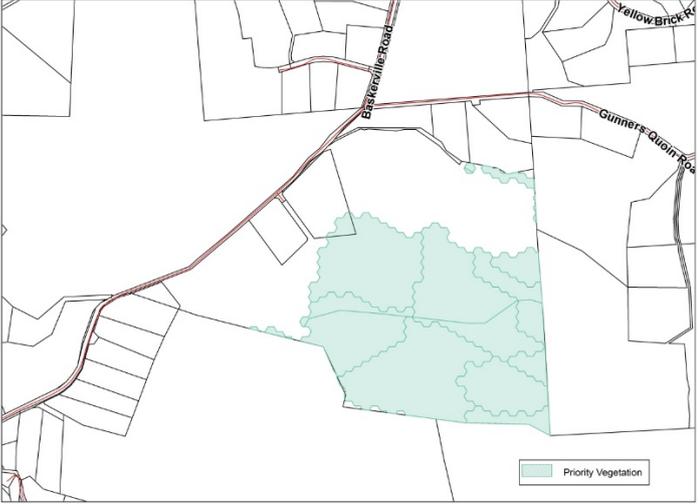
No.	Description	Direction and Reason
		 <p data-bbox="719 813 1315 871"><i>Map 2: Application of Rural Zone to 20 Dokdo Rise and 530B Baskerville Road, Honeywood</i></p> <p data-bbox="675 889 1362 981">(b) Apply the priority vegetation area overlay to 20 Dokdo Rise and 530B Baskerville Road, Honeywood as shown in Map 3 below:</p>  <p data-bbox="719 1529 1374 1588"><i>Map 3: Application of priority vegetation area overlay to 20 Dokdo Rise and 530B Baskerville Road, Honeywood</i></p> <p data-bbox="675 1606 1374 1877">Reason: <i>To apply the Agriculture Zone and Landscape Conservation Zone consistent with Guideline No. 1.</i> <i>To apply the priority vegetation area overlay consistent with Guideline No. 1.</i> <i>To apply zoning at boundaries consistent with Practice Note 7 - Draft LPS mapping: technical advice.</i></p>
3.12	232 and 246 Boyer Road, Bridgewater (folios of the Register 172452/2 and 169759/1) and 31 Cobbs Hill	(a) Revise the zone boundary between the Agriculture Zone and the Landscape Conservation Zone at:

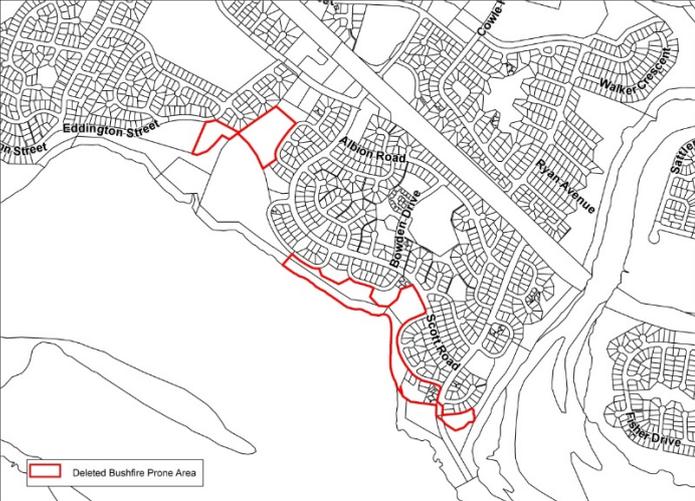
No.	Description	Direction and Reason
	<p>Road, Bridgewater (folio of the Register 152364/2)</p>	<p>i) 232 and 246 Boyer Road, Bridgewater (folios of the Register 172452/2 and 169759/1); and</p> <p>ii) 31 Cobbs Hill Road, Bridgewater (folio of the Register 152364/2),</p> <p>as shown in Map 4 below:</p>  <p><i>Map 1: Zone boundaries at 232 & 246 Boyer Rd & 31 Cobbs Hill Rd, Bridgewater</i></p> <p>(b) Apply the priority vegetation area overlay to 232 and 246 Boyer Road, Bridgewater and 31 Cobbs Hill Road, Bridgewater as shown in Map 5 below:</p>  <p><i>Map 2: Application of priority vegetation area overlay at 232 & 246 Boyer Rd & 31 Cobbs Hill Rd, Bridgewater</i></p> <p>(c) Delete the priority vegetation area overlay from 232 and 246 Boyer Road, Bridgewater and 31 Cobbs Hill Road, Bridgewater as shown in Figure 2 below:</p>

No.	Description	Direction and Reason
		 <p data-bbox="719 846 1382 909"><i>Figure 2: Deleted priority vegetation area overlay at 232 and 246 Boyer Rd and 31 Cobbs Hill Rd, Bridgewater</i></p> <p data-bbox="675 927 762 954"><i>Reason:</i></p> <p data-bbox="675 976 1374 1039"><i>To apply the Agriculture Zone and Landscape Conservation Zone to reflect the conservation covenants applying to the land.</i></p> <p data-bbox="675 1061 1374 1124"><i>To apply zoning at boundaries consistent with the Commission's Practice Note 7 - Draft LPS mapping: technical advice.</i></p> <p data-bbox="675 1146 1334 1200"><i>To apply the priority vegetation area overlay consistent with Guideline No. 1.</i></p>
3.13	Baskerville Road, Cassidy's Road, and Melane Road, Old Beach	<p data-bbox="675 1234 1366 1296">Revise the zoning of the following properties to the Rural Living Zone B:</p> <ul style="list-style-type: none"> <li data-bbox="675 1319 1145 1346">i) 34 and 40 Baskerville Road, Old Beach; <li data-bbox="675 1368 1238 1395">ii) 1, 2, 3, 5, 6, 7, 8 Cassidy's Road, Old Beach; and <li data-bbox="675 1417 1366 1507">iii) 1, 2, 3, 4, 5 (folios of the Register 102907/1 and 102908/1), 8, 8B, 9, 11 (folios of the Register 161430/2 and 161430/1) Melane Road, Old Beach, <p data-bbox="675 1529 959 1556">as shown in Map 6 below:</p>

No.	Description	Direction and Reason
		 <p><i>Map 6: Application of Rural Living Zone B to 34 and 40 Baskerville Road, 1, 2, 3, 5, 6, 7, 8 Cassidy's Road, and 1, 2, 3, 4, 5 (folios of the Register 102907/1 and 102908/1), 8, 8B, 9, 11 (folios of the Register 161430/2 and 161430/1) Melane Road, Old Beach</i></p> <p><i>Reason: To apply the Rural Living Zone consistent with Guideline No. 1.</i></p>
3.14	Part of 754, 757 and 770 Boyer Road, Dromedary	<p>Revise the zoning of part of 754, 757 and 770 Boyer Road, Dromedary (folios of the Register 21919/1, 167426/1, and 167425/1) to the Rural Living Zone B, and insert the split zone boundary annotations, as shown in Map 7 below:</p>  <p><i>Map 7: Application of zoning to 754, 757 and 770 Boyer Road, Dromedary (folios of the Register 21919/1, 167426/1, and 167425/1)</i></p> <p><i>Reason:</i></p>

No.	Description	Direction and Reason
		<p><i>To apply the Landscape Conservation Zone and the Rural Living Zone B to 754, 757 and 770 Boyer Road, Dromedary consistent with the purpose of the zone and Guideline No. 1.</i></p> <p><i>To meet technical requirements consistent with Commission Practice Note 7 - Draft LPS mapping: technical advice.</i></p>
3.15	720 Boyer Road, Dromedary	<p>Revise the zoning of 720 Boyer Road, Dromedary to the Landscape Conservation Zone, Rural Living Zone B, and Rural Zone, and insert the split zone boundary annotations, as shown in Map 8 below:</p>  <p><i>Map 8: Application of zoning to 720 Boyer Road, Dromedary</i></p> <p><i>Reason:</i></p> <p><i>To apply the Landscape Conservation Zone, Rural Living Zone B, and Rural Zone to 720 Boyer Road, Dromedary consistent with the purpose of the zone and Guideline No. 1.</i></p> <p><i>To meet technical requirements consistent with Commission Practice Note 7 - Draft LPS mapping: technical advice.</i></p>
3.16	110, 160 and 166 Baskerville Road, Old Beach	(a) Revise the zoning at 110, 160 and 166 Baskerville Road, Old Beach to the Rural Living Zone C and the Environmental Management Zone, and insert the split zone boundary annotations, as shown in Map 9 below:

No.	Description	Direction and Reason
		 <p data-bbox="722 824 1331 853"><i>Map 9: 110, 160 & 166 Baskerville Rd, Old Beach zoning</i></p> <p data-bbox="675 875 1382 965">(b) Revise the priority vegetation area overlay to apply to 110, 160 and 166 Baskerville Road, Old Beach as shown in Map 10 below:</p>  <p data-bbox="722 1525 1350 1581"><i>Map 10: Application of priority vegetation area overlay to 110, 160 & 166 Baskerville Rd, Old Beach</i></p> <p data-bbox="675 1603 1350 1906"><i>Reason:</i> <i>To apply the Rural Living Zone, and the Environmental Management Zone to 110, 160 and 166 Baskerville Road, Old Beach to reflect the approved subdivision on the land.</i> <i>To apply the priority vegetation area overlay consistent with Guideline No. 1.</i> <i>To meet technical requirements consistent with Commission Practice Note 7 - Draft LPS mapping: technical advice.</i></p>
3.17	Bushfire-Prone Areas overlay – Bridgewater	Delete the bushfire-prone areas overlay from the following properties:

No.	Description	Direction and Reason
		<p>(i) folio of the Register (FR) 6710/427</p> <p>(ii) FR 6706/982</p> <p>(iii) FR 6707/996</p> <p>(iv) FR 6708/962</p> <p>(v) FR 6708/999</p> <p>(vi) FR 6708/881</p> <p>(vii) FR 6708/880</p> <p>(viii) FR 6708/873</p> <p>(ix) FR 6708/874</p> <p>(x) FR 157339/1</p> <p>(xi) FR 152760/0</p> <p>(xii) FR 148199/0</p> <p>(xiii) FR 124126/2</p> <p>as shown in Figure 3 below:</p>  <p><i>Figure 3: Area of deleted bushfire prone areas overlay outlined in red</i></p> <p><i>Reason: To apply the bushfire-prone areas overlay consistent with Guideline No. 1.</i></p>

5.0 Consequential and technical implementation

- 5.1 Revise the draft LPS written document to include the identified technical modifications identified in Annexure A to:
- (a) meet the LPS requirements of the SPPs;
 - (b) correct references to relevant provisions;
 - (c) provide for the effective operation of the provisions; and

- (d) reflect the terminology used in the SPPs; and
- 5.2 Revise the draft LPS zone and overlay maps to :
- (a) reflect modifications consequential to modifications made to the draft LPS to include the Brighton draft LPS substantially modified parts;
 - (b) reflect modifications consequential to modifications made to the draft LPS written document, such as insertion of local heritage listed places;
 - (c) fill any unzoned gaps in the zoning layer;
 - (d) remove any overlaps between adjoining zones;
 - (e) remove any overlaps between features in the same overlay layers that have different categories (excluding for transitioning local area objectives of SAPs and PPZs), such as; coastal inundation investigation areas and low coastal inundation hazard band;
 - (f) aggregate adjoining zone or overlay polygons sharing the same category, such as, zone type, landslip hazard band, and aggregate adjoining overlay polygons that have no required category, such as, priority vegetation area;
 - (g) align the boundaries of zones and parcel dependant overlays with parcel boundaries, based on the most recent version of the cadastral parcels dataset available from theLIST;
 - (h) remove any zone or overlay shown outside the municipal area according to the Central Plan Register (CPR) map (including notes), current low water mark map on theLIST, and any areas described by section 35J(2) of the Act; and
 - (i) present all GIS data in the recommended Geodatabase format provided to council by the Commission,

Reason: To make modifications of a technical nature or relevant to the implementation of the Local Provisions Schedule if approved under section 35L of the Act.

Attachments:

Annexure A - Modifications to Brighton draft LPS written document (clean version)

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BRI-Local Provisions Schedule Title

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BRI-Local Area Objectives

Particular Purpose Zones

BRI-P1.0 Particular Purpose Zone – St Ann's Precinct

BRI-P2.0 Particular Purpose Zone – School Farm

Specific Area Plans

BRI-S1.0 Brighton Horse Racing Specific Area Plan

BRI-S2.0 Quoin Ridge Specific Area Plan

BRI-S3.0 Brighton Highway Services Precinct Specific Area Plan

BRI-S4.0 Bridgewater Quarry Specific Area Plan

BRI-S5.0 Old Beach Quarry Specific Area Plan

BRI-S6.0 Baskerville Raceway Specific Area Plan

BRI-S7.0 East Baskerville Dispersive Soils Specific Area Plan

BRI-S8.0 Urban Rural Interface Specific Area Plan

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BRI-S10.0 Brighton Industrial Hub Specific Area Plan

BRI-Site-specific Qualifications

BRI-Code Lists

BRI-Applied, Adopted and Incorporated Documents

Brighton Local Provisions Schedule

BRI-Local Provisions Schedule

BRI-1.1 This Local Provisions Schedule is called the Brighton Local Provisions Schedule and comprises all the land within the municipal area.

BRI-Effective Date

BRI-1.2 The effective date for this Local Provisions Schedule is **<insert date>**.

BRI-Local Area Objectives

BRI-15.0 General Business Zone Local Area Objectives

Reference Number	Area Description	Local Area Objectives
BRI-15.1	Green Point, shown on an overlay map as BRI-15.1	To develop Green Point as a focal point for Bridgewater and encourage a mix of uses including retail, commercial, residential, administrative and community services that complement and support the strategic role of the area as a Major Activity Centre.
BRI-15.2	Cove Hill, shown on an overlay map as BRI-15.2	To develop Cove Hill as a bulky goods and larger format retailing focal point. Larger speciality format retailing and support services to include supermarkets, hardware, discount department stores, camping, disposals, clothing, furniture, lighting, cafes, restaurants and entertainment facilities are to be concentrated at Cove Hill.
BRI-15.3	Brighton Town Centre, shown on an overlay map as BRI-15.3	To develop the Brighton town centre as a Rural Services Centre for the surrounding region and encourage consolidation of the town centre and provide a mix of uses including retail, commercial, administrative and community services that complement this function and provide for the needs of the local community.

BRI-P1.0 Particular Purpose Zone – St Ann’s Precinct

BRI-P1.1 Zone Purpose

The purpose of the Particular Purpose Zone – St Ann’s Precinct is:

BRI-P1.1.1 Promote the development of aged care facilities that is compatible with the character of the area, which includes low density living, high levels of privacy and residential amenity, including views.

BRI-P1.1.2 Encourage a diversity of local services and facilities including health care providers, local shops and food services to meet the needs of the complex.

BRI-P1.1.3 That development is surrounded by high quality public spaces throughout the complex by way of provision of landscaping, recreation facilities and pedestrian linkages.

BRI-P1.1.4 Encourage development that has a positive relationship to the East Derwent Highway through provision of landscaping buffers and screening.

BRI-P1.2 Local Area Objectives

This sub-clause is not used in this particular purpose zone.

BRI-P1.3 Definition of Terms

This sub-clause is not used in this particular purpose zone.

BRI-P1.4 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Utilities	If for minor utilities.
Permitted	
Business and Professional Services	If for medical centre, consulting rooms or offices.
Community Meeting and Entertainment	
Educational and Occasional Care	If for day respite centre.
Food Services	
General Retail and Hire	If for a local shop.

Hospital Services	
Passive Recreation	
Residential	
Discretionary	
Sport and Recreation	
Utilities	If not listed as No Permit Required.
Vehicle Parking	
Prohibited	
All other uses	

BRI-P1.5 Use Standards

BRI-P1.5.1 Non-residential use

Objective:	That non-residential uses do not detrimentally affect the residential amenity.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Non-residential uses must:</p> <p>(a) only operate within the hours of 8.00am to 6.00pm Monday to Friday if open to the general public;</p> <p>(b) only operate commercial vehicles or equipment within the hours of 7.00am to 7.00pm Monday to Friday and 10.00am to 6.00pm Saturday and Sunday;</p> <p>(c) not have any storage visible from a public road.</p>	<p>P1</p> <p>The use is of a scale and intensity compatible with the character of the area and does not cause unreasonable loss of residential amenity.</p>	

BRI-P1.6 Development Standards for Buildings and Works

BRI-P1.6.1 Building height

Objective:	That building height: (a) provides a character of high amenity living with buildings that complement the landscape values; and (b) is consistent with the scale of nearby residential areas.
Acceptable Solutions	Performance Criteria
A1 Building height must be not more than 8.5m.	P1 Building height must: (a) be sited to minimise obtrusion within the surrounding landscape; (b) take into account steep slopes and other topographical constraints; (c) not cause an unreasonable loss of residential amenity to adjoining properties from overshadowing, overlooking or visual bulk; and (d) be not more than 10m.

BRI-P1.6.2 Setback

Objective:	That a building is sufficiently setback from a frontage to: (a) enhance the streetscape; (b) assist in providing adequate space for vehicle access, parking and landscaping; and (c) help attenuate site impacts.
Acceptable Solutions	Performance Criteria
A1 Buildings must have a setback from a frontage of not less than: (a) 10m from a primary frontage; (b) 5m from secondary frontage.	P1 Buildings must be sited an appropriate distance from a frontage having regard to: (a) the efficient use of the site; (b) the residential amenity of adjoining properties; (c) the prevailing setbacks of existing buildings on nearby properties; (d) the visual impact of buildings when viewed from the street; (e) the retention of vegetation within the front setback.
A2 Buildings must have a setback from side and rear boundaries of not less than: (a) 5m from a side boundary; (b) 10m from a rear boundary.	P2 Buildings must be sited an appropriate distance from side and rear boundaries having regard to: (a) the efficient use of the site and location of existing vegetation; (b) not causing an unreasonable loss of amenity to adjoining properties through loss of sunlight, privacy and visual bulk;

	<p>(c) the prevailing setbacks of existing buildings on nearby properties;</p> <p>(d) the ability to provide adequate private open space for the dwelling; and</p> <p>(e) site constraints including easements, size and topography.</p>
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BRI-P1.6.3 Design and site coverage

Objective:	That buildings are designed to blend in with the surrounding landscape.	
Acceptable Solutions	Performance Criteria	
A1 Exterior building finishes must not be reflective and be of natural colours such as black, grey, brown and green and of a hue that is unobtrusive.	P1 Exterior building finishes must:	<p>(a) minimise the visual obtrusion within the surrounding landscape; and</p> <p>(b) offset the visual prominence of bright colours and scale of the building.</p>
A2 Site coverage must be no greater than 50%.	P2 No performance criterion.	

BRI-P1.6.4 Private open space and parking

Objective:	That private open space must provide for:	
	<p>(a) the reasonable recreation and service needs of residents; and</p> <p>(b) adequate and efficient provision of parking.</p>	
Acceptable Solutions	Performance Criteria	
A1 Dwellings without direct access to the ground level must have	P1 Dwellings must have private open space that is capable of serving as a usable outdoor space that acts as an extension to the dwelling for:	<p>(a) relaxation, dining, entertaining, recreation and children's play; and</p> <p>(b) is accessible from a habitable room.</p>
<p>(a) a balcony or deck with a minimum area of 10m²; and</p> <p>(b) a minimum dimension of 2m.</p>		
A2 Each residential unit must have its own parking area and be landscaped as if for a single residence.	P2 Car parking area must be designed having regard to:	<p>(a) the proximity to the respective dwelling,</p> <p>(b) the impact on the streetscape; and</p> <p>(c) the provision of landscaping to shade cars and soften the impact of hard paved surfaces.</p>

BRI-P1.7 Development Standards for Subdivision

BRI-P1.7.1 Subdivision

Objective:	To provide for subdivision of land that is compatible with the zone purpose.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision must:</p> <p>(a) have a minimum frontage of 30m; and</p> <p>(b) create a lot that is not less than 2500m² in area.</p>	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) provide opportunity for reasonable vehicular and pedestrian access; and</p> <p>(b) have a frontage of not less than 6m provided that each lot has a 30m diameter inscribed circle free of all setbacks and easements and is not less than 2,500m² in area.</p>	

BRI-P1.8 Tables

This sub-clause is not used in this particular purpose zone.

BRI-P2.0 Particular Purpose Zone – School Farm

BRI-P2.1 Zone Purpose

The purpose of the Particular Purpose Zone – School Farm is:

BRI-P2.1.1 To provide for the use of the land as a school farm, including education related to agricultural activities.

BRI-P2.1.2 That the land is attractively maintained and effectively performs its key purpose as a school farm.

BRI-P2.1.3 To encourage multi-purpose, flexible and adaptable use of the land to respond to long term, and changing and emerging school farm, educational and community needs.

BRI-P2.1.4 To recognise the urban context of the land and minimise land use conflicts between this zone and surrounding zones.

BRI-P2.2 Local Area Objectives

This sub-clause is not used in this particular purpose zone.

BRI-P2.3 Definition of Terms

This sub-clause is not used in this particular purpose zone.

BRI-P2.4 Use Table

Use Class	Qualification
No Permit Required	
Natural and Cultural Values Management	
Passive Recreation	
Utilities	If for minor utilities.
Permitted	
Community Meeting and Entertainment	
Educational and Occasional Care	
Resource Development	If not for intensive animal husbandry, aquaculture or horse stud.

Discretionary	
Business and Professional Services	
Domestic Animal Breeding, Boarding or Training	If it has a substantial educational component.
Food Services	
General Retail and Hire	If: (a) for a market or primary produce sales; or (b) it has a substantial educational component.
Residential	If for: (a) a boarding house, communal residence or hostel; and (b) educational purposes.
Resource Processing	If it has a substantial educational component.
Tourist Operation	
Utilities	If not listed as Permitted.
Prohibited	
All other uses	

BRI-P2.5 Use Standards

BRI-P2.5.1 Commercial uses

Objective:	To avoid the commercialisation and privatisation of public land intended for educational and community use.	
Acceptable Solutions	Performance Criteria	
A1 No Acceptable Solution.	P1 Business and Professional Services, Food Services, General Retail and Hire and Tourist Operation uses must complement and enhance the use of the land for a school farm and educational and community purposes by providing for facilities and services that augment and support those uses.	

BRI-P2.5.2 Agricultural use

Objective:	To avoid land use conflicts and environmental harm.	
Acceptable Solutions	Performance Criteria	
A1 Agricultural activities must be consistent with an approved Environmental Management Plan for the site.	P1 Agricultural activities must minimise odour and noise emissions, minimise the spread of environmental weeds and collect and filter run-off prior to discharge.	

BRI-P2.5.3 Use standards adjoining a residential zone

Objective:	That flood light emissions near a residential zone do not result in unreasonable adverse impact on residential amenity.	
Acceptable Solutions	Performance Criteria	
A1 Lighting must not subject nearby residential properties to obtrusive light, as defined in <i>Australian Standard AS 4282-1997-1.4.7 Control of the obtrusive effects of outdoor lighting</i> .	P1 Lighting must not operate after 9.00pm unless light spill does not cause an unreasonable loss of residential amenity to nearby properties.	

BRI-P2.6 Development Standards for Buildings and Works

BRI-P2.6.1 Building setback and height

Objective:	That building siting and height contributes positively to the streetscape.	
Acceptable Solutions	Performance Criteria	
A1 Buildings must have a setback from a frontage of not less than 5m.	P1 Buildings must be sited to enhance the streetscape, protect adjacent residential amenity, provide adequate space for vehicle access, parking and landscaping having regard to: (a) the area and dimensions of the site; (b) the characteristics of the site, adjoining properties and the locality; (c) the purpose of the building.	
A2 Building height must be not more than 8.5m.	P2 Building height must: (a) be not more than 12m; (b) contribute positively to the visual amenity of the area; and (c) be compatible with the scale of nearby buildings.	

BRI-P2.6.2 Landscaping

Objective:	That development for discretionary uses is provided with high quality visual amenity.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>(a) A landscaping treatment must be provided along the frontage of the site to a depth of not less than 5.m; or</p> <p>(b) between the frontage and an existing building if it is a distance of less than 5m.</p>	<p>P1</p> <p>A landscaping treatment must be provided having regard to:</p> <p>(a) the appearance of the site;</p> <p>(b) contribution to passive surveillance;</p> <p>(c) screening any outdoor storage from public view; and</p> <p>(d) compatibility with the streetscape of Brighton township.</p>	
<p>A2</p> <p>A landscaping treatment must be provided along the boundary with a General Residential Zone or Rural Living Zone to a depth of not less than 5m.</p>	<p>P2</p> <p>A landscaping treatment must be provided along the boundary with a General Residential Zone or Rural Living Zone to avoid causing an unreasonable loss of visual amenity to the adjoining General Residential Zone or Rural Living Zone, having regard to the characteristics of:</p> <p>(a) the site; and</p> <p>(b) adjoining properties in a General Residential Zone or Rural Living Zone.</p>	

BRI-P2.6.3 Building setback, height and design for buildings adjoining a residential zone

Objective:	That building siting, height and design do not result in unreasonable adverse impact on residential amenity of land in a residential zone.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>Buildings must have a setback from a General Residential Zone or a Rural Living Zone of not less than 3m or half the wall height, whichever is greater.</p>	<p>P1</p> <p>Building setback from a General Residential Zone or a Rural Living Zone must be sufficient to prevent an unreasonable loss of residential amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining properties to be not less than 3 hours within the hours of 9.00am to 5.00pm on June 21 or not further decrease sunlight hours if already less than 3 hours; (b) overlooking and loss of privacy; and (c) visual impacts when viewed from adjoining properties. 	
<p>A2</p> <p>No Acceptable Solution.</p>	<p>P2</p> <p>Building elevations adjoining a General Residential Zone or a Rural Living Zone must be coloured in muted tones.</p>	
<p>A3</p> <p>Building height within 10m of a General Residential Zone or Rural Living Zone must be not more than 8.5m.</p>	<p>P3</p> <p>Building height within 10m of a General Residential Zone or Rural Living Zone must be consistent with the building height of existing buildings on adjoining properties in a General Residential Zone or Rural Living Zone.</p>	

BRI-P2.7 Development Standards for Subdivision

BRI-P2.7.1 Subdivision

Objective:	To provide for lots with characteristics capable of accommodating use and development for specific intended purposes.
Acceptable Solutions	
Performance Criteria	
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision is for the purpose of providing lots for public open space, a riparian or littoral reserve or Utilities and has an area and dimensions appropriate for the intended purpose and site characteristics.</p>	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision is to provide for one or more of the following uses:</p> <ul style="list-style-type: none"> (a) Community Meeting and Entertainment; (b) Educational and Occasional Care; or (c) Passive Recreation.
<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision must have a frontage not less than 6m.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision must be capable of adequately serving the intended purpose.</p>
<p>A3</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be capable of being connected to a:</p> <ul style="list-style-type: none"> (a) be a full water supply service; (b) a reticulated sewerage system; and (c) a public stormwater system. 	<p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision, if reticulated services are unavailable but needed for the future use and development of the land, must be capable of:</p> <ul style="list-style-type: none"> (a) being self-sufficient for potable water adequate for the future use and development of the land; (b) accommodating an on-site stormwater management system adequate for the future use and development of the land; (c) accommodating an on-site waste water management system adequate for the future use and development of the land; <p>as the case may be with respect to the particular service unable to be connected.</p>

BRI-P2.8 Tables

This clause is not used in this particular purpose zone.

BRI-S1.0 Brighton Horse Racing Specific Area Plan

BRI-S1.1 Plan Purpose

The purpose of the Brighton Horse Racing Specific Area Plan is:

BRI-S1.1.1 The purpose of this provision is to protect and encourage the long-term potential of the Brighton Training Facility as a horse training and stabling venue in Southern Tasmania and to avoid conflict with other land uses through appropriate location and management of horse related activities.

BRI-S1.2 Application of this Plan

BRI-S1.2.1 The specific area plan applies to the area of land designated as Brighton Horse Racing Specific Area Plan on the overlay maps.

BRI- S1.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for, and are in addition to the provisions of:

- (a) Rural Zone; and
 - (b) Recreation Zone,
- as specified in the relevant provision.

BRI-S1.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

BRI-S1.4 Definition of Terms

This sub-clause is not used in this specific area plan.

BRI-S1.5 Use Table

This sub-clause is not used in this specific area plan.

BRI-S1.6 Use Standards

BRI-S1.6.1 Residential use

This clause is addition to Rural Zone – clause 20.3 Use Standards, Recreation Zone – clause 28.3 Use Standards.

Objective:	That Residential use is compatible with horse racing related activities within the Brighton Horse Racing Specific Area Plan.	
Acceptable Solutions		Performance Criteria
A1	No Acceptable Solution.	P1 Residential use on the same lot as an approved stable, horse breeding or horse training activity must:

	<p>(a) not unreasonably fetter horse stabling, breeding or training activities; and</p> <p>(b) not be occupied until the approved horse stabling, breeding or training facilities have been substantially completed.</p>
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BRI-S1.7 Development Standards for Buildings and Works

BRI-S1.7.1 Building design and siting

This clause is in substitution for Rural Zone – clause 20.4.2 Setbacks A1 and P1, Recreation Zone - clause 28.4.1 Building height, setback and siting A2 and P2, A3 and P3.

Objective:	That building siting and design:	
	<p>(a) facilitates horse racing related activities; and</p> <p>(b) protects residential amenity.</p>	
Acceptable Solutions		Performance Criteria
A1	Buildings must have a setback from all boundaries of not less than 20m.	<p>P1</p> <p>Buildings must be sited to avoid any adverse impact to stabling, horse breeding or horse training operations on the site or on adjoining or nearby properties and to prevent an unreasonable loss of residential amenity, having regard to:</p> <p>(a) the residential amenity of adjoining properties;</p> <p>(b) the prevailing setbacks on the site and on adjoining properties;</p> <p>(c) any site management plans for the site or adjoining sites;</p> <p>(d) the height and scale of proposed buildings;</p> <p>(e) the efficient use of the site; and</p> <p>(f) the visual impact of buildings when viewed from the street.</p>

BRI-S1.8 Development Standards for Subdivision

BRI-S1.8.1 Subdivision

This clause is in substitution for Rural Zone – clause 20.5 Development Standards for Subdivision, Recreation Zone – clause 28.5 Development Standards for Subdivision.

Objective:	That all lots are of appropriate area and dimensions consistent with the rural and residential land uses within the Brighton Horse Racing Specific Area Plan.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision is for public open space, bridle trails, a riparian or littoral reserve or Utilities.</p>	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be not less than 2ha; (b) have a frontage of not less than 25m, unless the lot is an internal lot with a frontage of not less than 6m; (c) not be an internal lot unless the site contains existing internal lots or creation of an internal lot is necessary to facilitate use and development consistent with the purpose of the Specific Area Plan; (d) be provided with safe vehicular access from a road; and (e) provide for the sustainable commercial operation of the site for stabling, horse breeding or horse training related activities. 	
<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision must be connected to a reticulated potable water supply if such a supply is available.</p>	<p>P2</p> <p>No Performance Criterion.</p>	

<p>A3</p> <p>No Acceptable Solution.</p>	<p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none">(a) be capable of accommodating an on-site waste water treatment system adequate for the likely future use and development of the land;(b) be capable of accommodating an on-site stormwater management system adequate for the likely future use and development of the land;(c) be capable of accommodating an on-site system for the management of liquid effluent and solid waste adequate for the likely future use and development of the land;(d) be designed to provide access and reticulated services to potential subdivisions on adjoining properties; and(e) be designed to provide, if required, access to a network of bridle paths.
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BRI-S1.9 Tables

This sub-clause is not used in this specific area plan.

BRI-S2.0 Quoin Ridge Specific Area Plan

BRI-S2.1 Plan Purpose

The purpose of the Quoin Ridge Specific Area Plan is:

BRI-S2.1.1 To protect the operating efficiency of the radio monitoring station at Quoin Ridge.

BRI-S2.2 Application of this Plan

BRI-S2.2.1 The specific area plan applies to the area of land designated as Quoin Ridge Specific Area Plan on the overlay maps.

BRI- S2.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in addition to the provisions of:

- (a) Rural Living Zone
 - (b) Rural Zone;
 - (c) Agriculture Zone
 - (d) Landscape Conservation Zone; and
 - (e) Utilities Zone,
- as specified in the relevant provision.

BRI-S2.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

BRI-S2.4 Definition of Terms

BRI-S2.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition
source of electro-magnetic radiation	means overhead power lines, electric fences, arc-welders, personal computers, commutating motors in hand held appliances and microprocessor controlled appliances.

BRI-S2.5 Use Table

This sub-clause is not used in this specific area plan.

BRI-S2.6 Use Standards

BRI-S2.6.1 Uses with the potential to impact the efficiency of the radio monitoring station.

This clause is an addition to Rural Living Zone – clause 11.3 Use Standards, Rural Zone – clause 20.3 Use Standards, Agriculture Zone – clause 21.3 Use Standards, Landscape Conservation Zone – clause 22.3 Use Standards, Utilities Zone – clause 26.3 Use Standards.

Objective:	That all use is compatible with the operating efficiency of the radio monitoring station at Quoin Ridge.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>Use must not affect the operational efficiency of the radio monitoring station through electro-magnetic radiation, having regard to:</p> <ul style="list-style-type: none"> (a) the scale, type and hours of use of any source of electro-magnetic radiation; and (b) any advice from the Australian Communications and Media Authority. 	

BRI-S2.7 Development Standards for Buildings and Works

BRI-S2.7.1 Development with the potential to impact the efficiency of the radio monitoring station

This clause is an addition to Rural Living Zone – clause 11.4 Development Standards for Buildings and Works, Rural Zone – clause 20.4 Development Standards for Buildings and Works, Agriculture Zone – clause 21.4 Development Standards for Buildings and Works, Landscape Conservation Zone – clause 22.4 Development Standards for Buildings and Works, Utilities Zone – clause 26.4 Development Standards for Buildings and Works.

Objective:	That all development is compatible with the operating efficiency of the radio monitoring station at Quoin Ridge.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>Development must not affect the operational efficiency of the radio monitoring station through electro-magnetic radiation, having regard to:</p> <ul style="list-style-type: none"> (a) siting of any source of electro-magnetic radiation; (b) shielding or placing underground any source of electro-magnetic radiation; and (c) any advice from the Australian Communications and Media Authority. 	

BRI-S2.8 Development Standards for Subdivision

BRI-S2.8.1 Subdivision with the potential to impact the efficiency of the radio monitoring station

This clause is an addition to Rural Living Zone – clause 11.5 Development Standards for Subdivision, Rural Zone – clause 20.5 Development Standards for Subdivision, Agriculture Zone – clause 21.5 Development Standards for Subdivision, Landscape Conservation Zone – clause 22.5 Development Standards for Subdivision, Utilities Zone – clause 26.5 Development Standards for Subdivision.

Objective:	That subdivision and any associated servicing is compatible with the operating efficiency of the radio monitoring station at Quoin Ridge.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision and any associated servicing must not affect the operational efficiency of the radio monitoring station through electro-magnetic radiation, having regard to:</p> <ul style="list-style-type: none"> (a) siting of any source of electro-magnetic radiation; (b) shielding or placing underground any source of electro-magnetic radiation; and (c) any advice from the Australian Communications and Media Authority.

BRI-S2.9 Tables

This sub-clause is not used in this specific area plan.

BRI-S3.0 Brighton Highway Services Precinct Specific Area Plan

BRI-S3.1 Plan Purpose

The purpose of the Brighton Highway Services Precinct Specific Area Plan is:

BRI-S3.1.1 To provide for fuel and food services for motorists traveling the Midland Highway.

BRI-S3.1.2 To provide a location in Brighton for showrooms that primarily sell bulky goods and require large display areas.

BRI-S3.1.3 To provide for use and development that is appropriate for, or requires, a location adjacent the Midland Highway.

BRI-S3.2 Application of this Plan

BRI-S3.2.1 The specific area plan applies to the area of land designated as Brighton Highway Services Precinct Specific Area Plan on the overlay maps.

BRI-S3.2.2 In the area of land this plan applies to, the provisions of the specific area plan substitute Signs Code – clauses C1.4.6.1 A1(a) and P1.2(a) with the following:

- (a) be a relevant sign type for the Commercial Zone set out in Table C1.6.

BRI-S3.2.3 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for, and are in addition to the provisions of:

- (a) Rural Zone; and
- (b) Signs Code,
as specified in the relevant provision.

BRI-S3.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

BRI-S3.4 Definition of Terms

This sub-clause is not used in this specific area plan.

BRI-S3.5 Use Table

This clause is in substitution for Rural Zone – clause 20.2 Use Table.

Use Class	Qualification
No Permit Required	
Natural and cultural values management	
Utilities	If for minor utilities.
Permitted	
Bulky Goods Sales	
Food Services	If for: (a) not more than 2 takeaway food shops; and (b) not more than 1 restaurant, whether an individual use or subservient to another use.
Vehicle Fuel Sales and Service	
Discretionary	
Community meeting & entertainment	If for a cinema.
Food Services	If not listed as Permitted.
Sport and Recreation	
Utilities	If not listed as No Permit Required.
Prohibited	
All other uses	

BRI-S3.6 Use Standards

BRI-S3.6.1 Hours of Operation

This clause is in substitution for Rural Zone – clause 20.3 Use Standards.

Objective:	Hours of operation do not have unreasonable impact on residential amenity on land within a residential zone.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Hours of operation of a use within 50m of a Rural Living Zone, excluding office and administrative tasks, must be within the hours of:</p> <p>(a) 7.00am to 9.00pm Monday to Saturday; and</p> <p>(b) 8.00am to 6.00pm Sunday and public holidays.</p>	<p>P1</p> <p>Hours of operation of a use within 50m of a Rural Living Zone must not cause an unreasonable loss of residential amenity to properties in a Rural Living Zone, having regard to:</p> <p>(a) commercial vehicle movements;</p> <p>(b) noise; or</p> <p>(c) other emissions,</p> <p>that are unreasonable in their timing, duration or extent.</p>

BRI-S3.6.2 Noise

This clause is in substitution for Rural Zone – clause 20.3 Use Standards.

<p>Objective:</p>	<p>Noise emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone.</p>	
<p>Acceptable Solutions</p>		<p>Performance Criteria</p>
<p>A1</p> <p>Noise emissions measured at the boundary of a Rural Living Zone must not exceed:</p> <p>(a) 55dB(A) (LAeq) within the hours of 7.00am to 7.00pm;</p> <p>(b) 5dB(A) above the background (LA90) level or 40dB(A) (LAeq), whichever is the lower, within the hours of 7.00pm to 7.00am;</p> <p>(c) 65dB(A) (LAm_{ax}) at any time.</p> <p>Measurement of noise levels must be in accordance with the methods in the Tasmanian Noise Measurement Procedures Manual, issued by the Director of Environmental Management, including adjustment of noise levels for tonality and impulsiveness.</p> <p>Noise levels are to be averaged over a 15 minute time interval.</p>	<p>P1</p> <p>Noise emissions measured at the boundary of a Rural Living Zone must not cause environmental harm within a Rural Living Zone.</p>	
<p>A2</p> <p>External amplified loud speakers or music must not be used within 50m of a Rural Living Zone.</p>	<p>P2</p> <p>No Performance Criterion.</p>	

BRI-S3.6.3 External Lighting

This clause is in substitution for Rural Zone – clause 20.3 Use Standards.

Objective:	External lighting does not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solutions	Performance Criteria	
A1 External lighting within 50m of a Rural Living Zone: (a) must be turned off within the hours of 10:00pm and 6:00am, excluding security lighting; and (b) if security lighting, must be baffled and not cause emission of light outside the zone.	P1 External lighting within 50m of a Rural Living Zone must not cause an unreasonable loss of amenity to adjoining residential properties, having regard to: (a) level of illumination and duration of lighting; and (b) distance to habitable rooms in an adjacent dwelling.	

BRI-S3.6.4 Commercial Vehicle Movements

This clause is in substitution for Rural Zone – clause 20.3 Use Standards.

Objective:	Commercial vehicle movements do not have unreasonable impact on residential amenity on land within a residential zone.	
Acceptable Solutions	Performance Criteria	
A1 Commercial vehicle movements, (including load and unloading and garbage removal) to or from a site within 50m of a Rural Living Zone must be within the hours of: (a) 7.00am to 7.00pm Monday to Friday; (b) 8.00am to 6.00pm Saturday; and (c) 9.00am to 5.00pm Sunday and public holidays.	P1 Commercial vehicle movements, (including load and unloading and garbage removal) to or from a site within 50m of a Rural Living Zone must not cause an unreasonable loss of residential amenity, having regard to: (a) the time and duration of commercial vehicle movements; (b) the number and frequency of commercial vehicle movements; (c) the size of commercial vehicles involved; (d) the ability of the site to accommodate commercial vehicle turning movements, including the amount of reversing (including associated warning noise); (e) noise reducing structures between vehicle movement areas and dwellings; (f) the level of traffic on the road; and (g) the potential for conflicts with other traffic.	

BRI-S3.6.5 Outdoor Work Areas

This clause is in substitution for Rural Zone – clause 20.3 Use Standards.

Objective:	Use of outdoor work areas does not have unreasonable impact on residential amenity on land within a residential zone.
Acceptable Solutions	Performance Criteria
A1 Outdoor work areas and noise-emitting services or activities such as those that involve the regular use of power tools must not be located within 50m of a Rural Living Zone.	P1 Outdoor work areas and noise-emitting services or activities such as those that involve the regular use of power tools must be accompanied by effective acoustic screening in the intervening space.

BRI-S3.6.6 Dust, Smell, Fumes and Other Emissions

This clause is in substitution for Rural Zone – clause 20.3 Use Standards.

Objective:	Dust, smell, fumes and other emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone.
Acceptable Solutions	Performance Criteria
A1 A use must not emit dust or other particles, smell or fumes beyond the boundaries of its site.	P1 The emission of dust or other particles, smell or fumes must not cause an unreasonable loss of amenity and safety to other properties, having regard to: (a) the hours of operation; (b) the frequency of the emission; (c) the nature of the emission and the degree of its impact on other properties, including whether properties are in a Rural Living Zone; (d) whether the emission contains any harmful substance; and (e) whether surrounding properties contain uses with similar emissions.

BRI-S3.7 Development Standards for Buildings and Works

BRI-S3.7.1 Building Height

This clause in substitution for Rural Zone – clause 20.4.1 Building height.

Objective:	Building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>Building height must be not more than 10m.</p>	<p>P1</p> <p>Building height must:</p> <ul style="list-style-type: none"> (a) contribute positively to the streetscape and not cause an unreasonable loss of residential amenity to properties in a Rural Living Zone, having regard to: <ul style="list-style-type: none"> (i) the scale of nearby buildings; (ii) any overshadowing of adjacent public space; (iii) the transition in height between adjoining buildings; and (b) Be not more than 12m. 	
<p>A2</p> <p>Building height within 10m of a Rural Living Zone must be not more than 8.5m.</p>	<p>P2</p> <p>Building height within 10m of a Rural Living Zone must:</p> <ul style="list-style-type: none"> (a) be consistent with the building height of existing buildings on adjoining properties in a Rural Living Zone; and (b) not cause a loss of residential amenity, having regard to: <ul style="list-style-type: none"> (i) overshadowing; (ii) loss of sunlight or daylight; or (iii) visual bulk. 	

BRI-S3.7.2 Setback

This clause in substitution for Rural Zone – clause 20.4.2 Setbacks, Signs Code – clause C1.6.1 Design and siting of signs A2 and P2.

<p>Objective:</p>	<p>Building setback contributes positively to the streetscape and does not cause an unreasonable loss of residential amenity to land in a residential zone.</p>
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Buildings, excluding signage, must have a setback from a frontage of not less than:</p> <ul style="list-style-type: none"> (a) 15m to Brighton Road; and (b) 20m to Midland Highway. 	<p>P1</p> <p>Buildings, excluding signage, must have a setback from a frontage that contributes positively to the streetscape and does not cause an unreasonable loss of residential amenity to properties in a Rural Living Zone, having regard to:</p> <ul style="list-style-type: none"> (a) the setback of adjoining buildings; (b) maintaining a continuous building line if evident in the streetscape; (c) the characteristics of the site, adjoining properties and the streetscape; and (d) opportunity for parking.
<p>A2</p> <p>Buildings, including signage, must have a setback from side and rear boundaries of not less than:</p> <ul style="list-style-type: none"> (a) 5m; or (b) half the height of the wall, whichever is greater. 	<p>P2</p> <p>Buildings, including signage, must be sited a sufficient distance from a Rural Living Zone to prevent an unreasonable loss of residential amenity, having regard to:</p> <ul style="list-style-type: none"> (a) overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining properties to not less than 3 hours between: <ul style="list-style-type: none"> (i) 9.00am and 5.00pm on June 21; or (ii) further decrease sunlight hours if already less than 3 hours; (b) overlooking and loss of privacy; (c) visual impact when viewed from adjoining properties; and (d) aspect and slope.

BRI-S3.7.3 Design

This clause is in addition to Rural Zone – clause 20.4 Development Standards for Buildings and Works.

<p>Objective:</p>	<p>That building design contributes positively to the streetscape, the residential amenity and safety of the public and adjoining land in a residential zone.</p>
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Building design must address the street, having regard to:</p> <ul style="list-style-type: none"> (a) providing the main pedestrian entrance to the building facing the frontage or facing an effective internal frontage created by internal access roads, pedestrian and parking areas; (b) providing windows and door openings at ground floor level in the front façade not less than 30% of the surface area; (c) any single expanse of blank wall in the ground level front façade and facades facing other public spaces does not exceed 20m²; (d) screening mechanical plant and miscellaneous equipment such as heat pumps, air conditioning units, switchboards, hot water units or similar from view from the street and other public spaces; (e) incorporating roof-top service infrastructure, including service plants and lift structures, within the design of the roof; and (f) not including security shutters over windows or doors with a frontage to a street or public place. 	<p>P1</p> <p>Building design must enhance the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) provide main accesses to buildings in a way that addresses the street or internal areas of pedestrian and vehicular movement; (b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces; (c) treat large expanses of blank wall in the front façade and facing other public space boundaries with architectural detail or public art so as to contribute positively to the streetscape and public space; (d) the visual impact of mechanical plant and miscellaneous equipment, such as heat pumps, air conditioning units, switchboards, hot water units or similar, is insignificant when viewed from the street; and (e) roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;
<p>A2</p> <p>Walls of a building on a site adjoining a Rural Living Zone must:</p> <ul style="list-style-type: none"> (a) be coloured in muted tones; and (b) if within 50m of a Rural Living Zone, not have openings in walls facing a Rural Living Zone, unless the line of sight to the building is blocked by another building. 	<p>P2</p> <p>Walls of a building on a site adjoining a Rural Living Zone must:</p> <ul style="list-style-type: none"> (a) be coloured in muted tones; and (b) if within 50m of a Rural Living Zone, any openings in walls facing a Rural Living Zone be accompanied by effective acoustic screening in the intervening space.

BRI-S3.7.4 Passive Surveillance

This clause is an addition to Rural Zone – clause 20.4 Development Standards for Buildings and Works.

Objective:	That building design provides for the safety of the public.	
Acceptable Solutions	Performance Criteria	
<p>A1</p> <p>Building design must:</p> <ul style="list-style-type: none"> (a) provide the main entrance or entrances to a building so that they are clearly visible from the street and well-lit at night; (b) provide windows with clear glazing not less than: <ul style="list-style-type: none"> (i) 40% of the facade of walls that front a street; and (ii) 30% of the facade of walls that face public space or a car park for the building; (c) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (d) provide external lighting to illuminate car parking areas and pathways; and (e) provide well-lit public access at the ground floor level from any external car park. 	<p>P1</p> <p>Building design must provide for passive surveillance of public spaces, having regard to:</p> <ul style="list-style-type: none"> (a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces; (b) locate windows to adequately overlook the street and adjoining public spaces; (c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa; (d) locate external lighting to illuminate any entrapment spaces around the building site; (e) provide external lighting to illuminate car parking areas and pathways; (f) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces; and (g) provide for sight lines to other buildings and public spaces. 	

BRI-S3.7.5 Landscaping

This clause is in addition to Rural Zone – clause 20.4 Development Standards for Buildings and Works.

Objective:	That safe and attractive landscaping treatment enhances the appearance of the site and provides a visual break from land in a residential zone.	
Acceptable Solutions	Performance Criteria	
A1 Landscaping along the frontages, within setbacks, parking and access areas must be generally in accordance with an approved landscaping plan for the entire area of the Brighton Highway Services Precinct Specific Area Plan.	P1 Landscaping must be provided, having regard to: (a) the appearance of the development; (b) differing plant heights and forms to create diversity, interest and amenity; and (c) not creating concealed entrapment spaces.	
A2 Along a boundary with a Rural Living Zone landscaping must be provided for a depth not less than 2m.	P2 Along a boundary with a Rural Living Zone landscaping or a building design solution must be provided to avoid causing an unreasonable loss of visual amenity to adjoining properties in a Rural Living Zone, having regard to: (a) the characteristics of the site; and (b) the characteristics of the adjoining properties in a Rural Living Zone.	

BRI-S3.7.6 Outdoor Storage Areas

This clause is in addition to Rural Zone – clause 20.4 Development Standards for Buildings and Works.

Objective:	That outdoor storage areas for non-residential use do not detract from the appearance of the site or the locality.	
Acceptable Solutions	Performance Criteria	
A1 Outdoor storage areas must: (a) be located behind the building line and have goods and materials screened from public view; and (b) not encroach upon car parking areas, driveways or landscaped areas.	P1 Outdoor storage areas must: (a) be located, treated or screened to avoid causing an unreasonable loss of visual amenity to the locality; and (b) not encroach upon car parking areas, driveways or landscaped areas.	

BRI-S3.7.7 Fencing

This clause is an addition to Rural Zone – clause 20.4 Development Standards for Buildings and Works.

Objective:	That fencing does not detract from the appearance of the site or the locality and provides for passive surveillance.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>Fencing and gates must:</p> <p>(a) not be erected within 10m of the frontage if greater in height than 1.5m;</p> <p>(b) be 50% transparent above a height of 1.2m if along a frontage; and</p> <p>(c) be not more than 2.1m and must not contain barbed wire if along a common boundary with land in a Rural Living Zone.</p>	<p>P1</p> <p>Fencing must contribute positively to the streetscape and not cause an unreasonable loss of residential amenity to properties in a Rural Living Zone which lies opposite or shares a common boundary with the site, having regard to:</p> <p>(a) the height of the fence;</p> <p>(b) the degree of transparency of the fence;</p> <p>(c) the location and extent of the fence;</p> <p>(d) the design of the fence;</p> <p>(e) the fence materials and construction;</p> <p>(f) the nature of the use; and</p> <p>(g) the characteristics of the site, the streetscape and the locality, including fences.</p>	

BRI-S3.7.8 Bowsers and Fuel Tanks

This clause is an addition to Rural Zone – clause 20.4 Development Standards for Buildings and Works.

Objective:	That siting of bowsers and fuel tanks do not cause an unreasonable loss of residential amenity to land in a residential zone.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>Bowsers and fuel tanks and any vehicular access associated with such infrastructure must be separated from land in a Rural Living Zone by not less than 50m.</p>	<p>P1</p> <p>Bowsers and fuel tanks and any vehicular access associated with such infrastructure must not cause an unreasonable loss of residential amenity to adjoining properties.</p>	

BRI-S3.8 Development Standards for Subdivision

BRI-S3.8.1 Lot design

This clause is a substitution for Rural Zone – clause 20.5.1 Lot design.

<p>Objective:</p>	<p>To provide for lots with appropriate area, dimensions, services, roads and access to public open space to accommodate development compatible with the Specific Area Plan Purpose.</p>
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>Each lot, of a lot proposed in a plan of subdivision must be a size sufficient to accommodate development compatible with the Specific Area Plan Purpose.</p>
<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have a building area of not less than 40m x 40m, with a gradient of not more than 1 in 10, clear of:</p> <p>(a) frontage, side and rear boundary setbacks required by clause BRI-S3.7.2 A1 and A2; and</p> <p>(b) easements or other title restrictions that would limit or restrict the development of a commercial building.</p>	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <p>(a) the Specific Area Plan Purpose;</p> <p>(b) any Local Area Objectives;</p> <p>(c) on-site parking and manoeuvring, unless adequate arrangements are made for suitable alternative solutions to future likely demand generated by the development potential of the lot; and</p> <p>(d) minimising the need for earth works, retaining walls, and cut and fill associated with future development.</p>
<p>A3</p> <p>Each lot, or a lot proposed on a plan of subdivision must have a frontage of not less than 25m.</p>	<p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision must have a frontage sufficient to accommodate development having regard to:</p> <p>(a) the Specific Area Plan Purpose; and</p> <p>(b) any Local Area Objectives.</p>

<p>A4</p> <p>No Acceptable Solution.</p>	<p>P4</p> <p>The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, pedestrians and cyclists, having regard to:</p> <ul style="list-style-type: none"> (a) the Specific Area Plan Purpose; (b) any relevant road network plan adopted by the planning authority; (c) facilitating subdivision of adjoining properties; (d) maximising levels of access, safety, convenience and legibility having regard to a road function hierarchy; and (e) provision of a single point of entry and exit for all land within the Specific Area Plan to both Brighton Road and Midland Highway.
<p>A5</p> <p>Each lot, or a lot proposed in a plan of subdivision must be connected to services adequate to support the likely future use and development of the land.</p>	<p>P5</p> <p>No Performance Criterion.</p>

BRI-S3.9 Tables

This sub-clause is not used in this specific area plan.

BRI-S4.0 Bridgewater Quarry Specific Area Plan

BRI-S4.1 Plan Purpose

The purpose of the Bridgewater Quarry Specific Area Plan is:

BRI-S4.1.1 To protect the operations of the Bridgewater Quarry from incompatible or conflicting use or development.

BRI-S4.2 Application of this Plan

BRI-S4.2.1 The specific area plan applies to the area of land designated as Bridgewater Quarry Specific Area Plan on the overlay maps.

BRI-S4.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for, and are in addition to the provisions of:

- (a) Attenuation Code,
as specified in the relevant provision.

BRI-S4.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

BRI-S4.4 Definition of Terms

This sub-clause is not used in this specific area plan.

BRI-S4.5 Use Table

This sub-clause is not used in this specific area plan.

BRI-S4.6 Use Standards

BRI-S4.6.1 Sensitive use

This clause is in substitution for Attenuation Code – clause C9.5.2 Sensitive use within an attenuation area.

Objective:	That sensitive use is not established within the area of the Bridgewater Quarry Specific Area Plan.	
Acceptable Solutions		Performance Criteria
A1	Use or development is not for sensitive use.	P1 No Performance Criterion.

BRI-S4.7 Development Standards for Buildings and Works

BRI-S4.7.1 Buildings and works within Bridgewater Quarry Specific Area Plan

This clause is in addition to clause C9.0 Attenuation Code.

Objective:	That development is compatible with the operations of the Bridgewater Quarry.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>Buildings and works must not result in potential to interfere or conflict with quarry operations having regard to:</p> <p>(a) the nature of the quarry; including:</p> <ul style="list-style-type: none"> (i) operational characteristics; (ii) scale and intensity; (iii) degree of hazard or pollution that may be emitted from the activity; <p>(b) the degree of encroachment of development or use into the Bridgewater Quarry Attenuation Area; and</p> <p>(c) measures in the design, layout and construction of the development to eliminated, mitigate or manage effects of the quarry; and</p> <p>(d) any advice from the Bridgewater Quarry operator.</p>

BRI-S4.8 Development Standards for Subdivision

BRI-S4.8.1 Subdivision within Bridgewater Quarry Specific Area Plan

This clause is in addition to Attenuation Code – clause C9.6.1 Lot design.

Objective:	That subdivision is compatible with the operations of the Bridgewater Quarry.	
Acceptable Solutions		Performance Criteria
A1	No Acceptable Solution.	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must not result in potential to interfere or conflict with quarry operations having regard to:</p> <p>(a) the nature of the quarry; including:</p> <ul style="list-style-type: none"> (i) operational characteristics; (ii) scale and intensity; (iii) degree of hazard or pollution that may be emitted from the activity; <p>(b) the future use and development of the lot; and</p> <p>(c) any advice from the Bridgewater Quarry operator.</p>

BRI-S4.9 Tables

This sub-clause is not used in this specific area plan.

BRI-S5.0 Old Beach Quarry Specific Area Plan

BRI-S5.1 Plan Purpose

The purpose of the Old Beach Quarry Specific Area Plan is:

BRI-S5.1.1 To protect the operations of the Old Beach Quarry from incompatible or conflicting use or development.

BRI-S5.2 Application of this Plan

BRI-S5.2.1 The specific area plan applies to the area of land designated as Old Beach Quarry Area Plan on the overlay maps.

BRI-S5.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for the provisions of:

- (a) Attenuation Code,
as specified in the relevant provision.

BRI-S5.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

BRI-S5.4 Definition of Terms

This sub-clause is not used in this specific area plan.

BRI-S5.5 Use Table

This sub-clause is not used in this specific area plan.

BRI-S5.6 Use Standards

BRI-S5.6.1 Sensitive use

This clause is in substitution for Attenuation Code – clause C9.5.2 Sensitive use within an attenuation area.

Objective:	That new sensitive use is not established within the area of the Old Beach Quarry Specific Area Plan.	
Acceptable Solutions		Performance Criteria
A1 Use or development is not for sensitive use.	P1 No Performance Criterion.	

BRI-S5.7 Development Standards for Buildings and Works

This sub-clause is not used in this specific area plan.

BRI-S5.8 Development Standards for Subdivision

This sub-clause is not used in this specific area plan.

BRI-S5.9 Tables

This sub-clause is not used in this specific area plan.

BRI-S6.0 Baskerville Raceway Specific Area Plan

BRI-S6.1 Plan Purpose

The purpose of the Baskerville Raceway Specific Area Plan is:

BRI-S6.1.1 To protect the operations of the Baskerville Raceway from incompatible or conflicting use or development.

BRI-S6.2 Application of this Plan

BRI-S6.2.1 The specific area plan applies to the area of land designated as Baskerville Raceway Specific Area Plan on the overlay maps.

BRI-S6.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for the provisions of:

- (a) Attenuation Code,
as specified in the relevant provision.

BRI-S6.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

BRI-S6.4 Definition of Terms

This sub-clause is not used in this specific area plan.

BRI-S6.5 Use Table

This sub-clause is not used in this specific area plan.

BRI-S6.6 Use Standards

BRI-S6.6.1 Residential use

This clause is in substitution for Attenuation Code – clause C9.5.2 Sensitive use within an attenuation area.

Objective:	That new sensitive use is not established within the area of the Baskerville Raceway Specific Area Plan.	
Acceptable Solutions		Performance Criteria
A1 Use or development is not for sensitive use.	P1 No Performance Criterion.	

BRI-S6.7 Development Standards for Buildings and Works

This sub-clause is not used in this specific area plan.

BRI-S6.8 Development Standards for Subdivision

This sub-clause is not used in this specific area plan.

BRI-S6.9 Tables

This sub-clause is not used in this specific area plan.

BRI-S7.0 East Baskerville Dispersive Soils Specific Area Plan

BRI-S7.1 Plan Purpose

The purpose of the East Baskerville Dispersive Soils Specific Area Plan is:

BRI-S7.1.1 To minimise and/or mitigate adverse impacts from development occurring on land that contains potential dispersive soils.

BRI-S7.2 Application of this Plan

BRI-S7.2.1 The specific area plan applies to the area of land designated as East Baskerville Dispersive Soils Specific Area Plan on the overlay maps.

BRI-S7.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in addition to the provisions of:

- (a) Rural Living Zone;
 - (b) Agriculture Zone;
 - (c) Landscape Conservation Zone; and
 - (d) Environmental Management,
- as specified in the relevant provision.

BRI-S7.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

BRI-S7.4 Definition of Terms

BRI-S7.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition
dispersive soil	means soil or sediment with an exchangeable sodium percentage greater than 6% or which demonstrates dispersive behaviour when in contact with fresh water.
dispersive soil management plan	means a report ¹ prepared by a suitably qualified person, that details: <ul style="list-style-type: none"> (a) the dispersive potential of soils in the vicinity of the proposed development; (b) the potential for the development to cause or contribute to gully or tunnel erosion; (c) an analysis of the level of risk to the development and the level of risk to users of the development; and

¹ Relevant information is provided in Hardie, M (2009): *Dispersive Soils and their Management: Technical Reference Manual*, DPIW, Hobart, 2009 and DPIW (2009), *Dispersive Soils and their Management – Guidelines for Landowners, Planners and Engineers*, DPIW, Hobart 2009.

	(d) proposed management measures to reduce risk to an acceptable level if necessary.
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BRI-S7.5 Use Table

This sub-clause is not used in this specific area plan.

BRI-S7.6 Use Standards

This sub-clause is not used in this specific area plan.

BRI-S7.7 Development Standards for Buildings and Works

BRI-S7.7.1 Development on Potential Dispersive Soils

This clause is in addition to Rural Living Zone – clause 11.4 Development Standards for Buildings and Works, Agriculture Zone – clause 21.4 Development Standards for Buildings and Works, Landscape Conservation Zone - clause 22.4 Development Standards for Buildings and Works, Environmental Management Zone – clause 23.4 Development Standards for Buildings and Works.

Objective:	That development with the potential to disturb dispersive soil is appropriately located or managed: (a) to minimise the potential to cause erosion; and (b) so that risk to property and the environment is reduced to an acceptable level.	
	Acceptable Solutions	Performance Criteria
	<p>A1 Development must be for:</p> <p>(a) works not involving the release of concentrated water or the disturbance of soils;</p> <p>(b) additions or alterations to an existing building, or the construction of a non-habitable building, provided the development area is no more than 100m²; or</p> <p>(c) forestry operations in accordance with a certified Forest Practices Plan.</p>	<p>P1 Development must be designed, sited and constructed to minimise the risks associated with dispersive soil to property and the environment having regard to:</p> <p>(a) the dispersive potential of soils in the vicinity of proposed buildings, driveways, services and the development area generally;</p> <p>(b) the potential of the development to affect or be affected by erosion, including gully and tunnel erosion;</p> <p>(c) the dispersive potential of soils in the vicinity of water drainage lines, infiltration areas and trenches, water storages, ponds, dams and disposal areas;</p> <p>(d) the level of risk and potential consequences for property and the</p>

	<p>environment from potential erosion, including gully and tunnel erosion;</p> <p>(e) management measures that would reduce risk to an acceptable level; and</p> <p>(f) the advice contained in a dispersive soil management plan.</p>
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BRI-S7.8 Development Standards for Subdivision

BRI-S7.8.1 Subdivision on Potential Dispersive Soils

This clause is in addition to Rural Living Zone – clause 11.5 Development Standards for Subdivision, Agriculture Zone – clause 21.5 Development Standards for Subdivision, Landscape Conservation Zone - clause 22.5 Development Standards for Subdivision, Environmental Management Zone – clause 23.5 Development Standards for Subdivision.

Objective:	<p>That subdivision within an area of potentially dispersive soil minimises the potential for development to cause:</p> <p>(a) erosion; and</p> <p>(b) risk to property and the environment.</p>
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision must minimise the risks associated with dispersive soils to property and the environment having regard to:</p> <p>(a) the dispersive potential of soils in the vicinity of proposed building areas, driveways, services and the development area generally;</p> <p>(b) the potential of the subdivision to affect or be affected by erosion, including gully and tunnel erosion;</p> <p>(c) the dispersive potential of soils in the vicinity of water drainage lines, infiltration areas and trenches, water storages, ponds, dams and disposal areas;</p> <p>(d) the level of risk and potential consequences for property and the environment from potential erosion, including gully and tunnel erosion;</p> <p>(e) management measures that would reduce risk to an acceptable level; and</p> <p>(f) the advice contained in a dispersive soil management plan.</p>

BRI-S7.9 Tables

This sub-clause is not used in this specific area plan.

BRI-S8.0 Urban-Rural Interface Specific Area Plan

BRI-S8.1 Plan Purpose

The purpose of the Urban-Rural Interface Specific Area Plan is:

BRI-S8.1.1 To provide for higher density rural living closer to settlements and urban fringe areas, with greater service provision and fewer environmental constraints.

BRI-S8.2 Application of this Plan

BRI-S8.2.1 The specific area plan applies to the area of land designated as Urban-Rural Interface Specific Area Plan on the overlay maps.

BRI-S8.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for the provisions of:

Rural Living Zone;

as specified in the relevant provision.

BRI-S8.3 Local Area Objectives

BRI-S8.3.1 Local Area Objectives

Sub-clause	Area Description	Local Area Objectives
BRI-S8.3.1.1	Urban-Rural Interface Specific Area Plan, shown on an overlay map as BRI-S8.3.1.1	The land must develop at a higher density than other Rural Living Zone areas, capitalising on their proximity to settlements, whilst still providing for rural values and a high level of residential amenity and privacy.

BRI-S8.4 Definition of Terms

This sub-clause is not used in this specific area plan.

BRI-S8.5 Use Table

This sub-clause is not used in this specific area plan.

BRI-S8.6 Use Standards

This sub-clause is not used in this specific area plan.

BRI-S8.7 Development Standards for Buildings and Works

This sub-clause is not used in this specific area plan.

BRI-S8.8 Development Standards for Subdivision

BRI-S8.8.1 Lot design

This clause is in substitution for Rural Living Zone – clause 11.5.1 Lot design, A1 and P1.

Objective:	That each lot: <ul style="list-style-type: none"> (a) has an area and dimensions appropriate for use and development in the zone; (b) is provided with appropriate access to a road; and (c) contains areas which are suitable for residential development.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) have an area not less than 5,000m²; and (b) comply with the lot design standards required by Rural Living Zone - clause 11.5.1 Lot design A1, excluding lot area specified in Table 11.1. 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> (a) the relevant requirements for development of existing buildings on the lots; (b) the intended location of buildings on the lots; (c) the topography of the site; (d) any natural or landscape values; (e) adequate provision of private open space; and (f) the pattern of development existing on established properties in the area, (g) and must be not less than 5,000m².

BRI-S8.8.2 Services

This clause is in substitution for Rural Living Zone – clause 11.5.3 Services, A1 and P1.

Objective:	That each lot is connected to a full water supply service	
Acceptable Solutions	Performance Criteria	
A1 Each lot, or a lot proposed in a plan of subdivision, excluding for public open space, a riparian or littoral reserve or Utilities, must be connected to a full water supply service.	P1	No Performance Criterion.

BRI-S8.9 Tables

This sub-clause is not used in this specific area plan.

BRI-S9.0 Tivoli Green Specific Area Plan

BRI-S9.1 Plan Purpose

The purpose of the Tivoli Green Specific Area Plan is:

BRI-S9.1.1 To promote social interaction through an active and healthy residential environment based on provision of public open space, a pedestrian and trail network and the integration of water sensitive urban design into the road network.

BRI-S9.1.2 To provide for a transition of densities, compatible with the character of established development on the adjacent areas to the north and south, while maintaining an overall net density compatible with the efficient utilisation of land and existing infrastructure.

BRI-S9.1.3 In Precinct A, to promote a village centre around the central open space with:

- (a) opportunities for local level retail activities and food services;
- (b) higher density subdivision to provide opportunities for affordable home ownership in an area with good access to recreational and community facilities;
- (c) a lot layout mostly in a formal grid pattern; and
- (d) a built character defined by:
 - (i) high levels of residential amenity and passive surveillance;
 - (ii) a compact and visually interesting streetscape with small and consistent front setbacks reinforcing a building edge along the street;
 - (iii) building mass and bulk located to the front of lots with generous provision of private open space at the rear.
 - (iv) minimal side separation but with good solar access and privacy.

BRI-S9.1.4 To promote a layout of subdivision that responds to the natural topography and maximises solar orientation.

BRI-S9.1.5 To promote road connectivity with the existing and potential roads in adjoining areas occurring in a coordinated manner consistent with maintaining the safety and efficiency of the road network and a pedestrian friendly environment.

BRI-S9.1.6 To provide for the staged release of land.

BRI-S9.1.7 To integrate water sensitive urban design principles into the subdivision of the land in a manner that contributes to protecting and improving the water quality of Gage Brook.

BRI-S9.1.8 To protect the safety and efficiency of the East Derwent Highway.

BRI-S9.2 Application of this Plan

BRI-S9.2.1 The specific area plan applies to the area of land designated as Tivoli Green Specific Area Plan on the overlay maps and shown in Figure BRI-S9.1.

BRI-S9.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for, and are in addition to the provisions of:

- (a) General Residential Zone; and
- (b) Road and Railway Assets Code,
as specified in the relevant provision.

BRI-S9.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

BRI-S9.4 Definition of Terms

BRI-S9.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition
Precinct A	means the area of land shown in Figure BRI-S9.2 as Precinct A.
Precinct B	means the area of land shown in Figure BRI-S9.2 as Precinct B.
Precinct C	means the area of land shown in Figure BRI-S9.2 as Precinct C.

BRI-S9.5 Use Table

This clause is in substitution for General Residential Zone – clause 8.2 Use Table.

Use Class	Qualification
No Permit Required	
Educational and Occasional Care	If for home-based child care in accordance with a license under the <i>Child Care Act 2001</i> .
Natural and Cultural Values Management	
Passive Recreation	
Residential	If: (a) for a single dwelling; or (b) for a home-based business with not more than: (i) 1 non-resident worker/employee; (ii) 1 commercial vehicle; and (iii) a floor area of 30m ² .
Utilities	If for minor utilities.
Permitted	
Residential	If: (a) not listed as No Permit Required; and (b) not for a home-based business with more than: (i) 1 non-resident worker/employee; (ii) 1 commercial vehicle; and (iii) a floor area of 30m ² .
Food Services	If: (a) in Precinct A and located on a lot with frontage to a road that adjoins the Open Space Zone; and (b) not for a take-away food premises with a drive through facility.

General Retail and Hire	If: (a) in Precinct A and located on a lot with frontage to a road that adjoins the Open Space Zone; and (b) for a local shop.
Visitor Accommodation	
Discretionary	
Business and Professional Services	If for a consulting room, medical centre, veterinary surgery child health clinic; or residential support services.
Community Meeting and Entertainment	If for a place of worship, art and craft centre or public hall.
Educational and Occasional Care	If not listed as No Permit Required.
Emergency Services	
Food Services	If: (a) not listed as Permitted; and (b) not for a take away food premises with drive through facility
Residential	If not listed as No Permit Required or Permitted.
Sports and Recreation	
Utilities	If not listed as No Permit Required.
Prohibited	
All other uses	

BRI-S9.6 Use Standards

This sub-clause is not used in this specific area plan.

BRI-S9.7 Development Standards for Buildings and Works

BRI-S9.7.1 Residential density for multiple dwellings

This clause is in substitution for General Residential Zone - clause 8.4.1 Residential density for multiple dwellings.

<p>Objective:</p>	<p>The density of multiple dwellings:</p> <ul style="list-style-type: none"> (a) is compatible with a transition of densities across the site from the higher density Precinct A through to the existing low density subdivision to the south; and (b) is compatible with the efficient utilisation of land and existing infrastructure.
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Multiple dwellings must have a site area per dwelling of not less than:</p> <ul style="list-style-type: none"> (a) 300m² for Precinct A; (b) 400m² for Precinct B; and (c) 600m² for Precinct C. 	<p>P1</p> <p>Multiple dwellings must only have a site area per dwelling that is less than the Acceptable Solution, if the development will not exceed the capacity of infrastructure services and:</p> <ul style="list-style-type: none"> (a) is consistent with purpose of the Specific Area Plan; (b) the site is not reasonably capable of being subdivided; (c) provides for a significant social or community housing benefit; and (d) is wholly or partially within 400m walking distance of a public transport stop.

BRI-S9.7.2 Noise attenuation for East Derwent Highway

This clause is in substitution for Road and Railway Assets Code – clause 3.6.1 Habitable buildings for sensitive uses within a road or railway attenuation area.

Objective:	Development for sensitive use incorporates measures to protect the efficiency of the East Derwent Highway and the amenity of that sensitive use.
Acceptable Solutions	Performance Criteria
A1 Development for a sensitive use must have a setback from the boundary with the East Derwent Highway of not less than 20m.	P1 Development for a sensitive use must provide a separation distance adequate to mitigate against unreasonable impact on the efficiency of the road or amenity of sensitive uses having regard to: <ul style="list-style-type: none">(a) the setback of existing buildings for sensitive uses in the nearby area;(b) the speed limit and traffic volume on the East Derwent Highway;(c) the incorporation of noise attenuation measures in the design of the development;(d) any recommendations from a suitably qualified person for mitigation of noise; and(e) any advice received from the road authority.

BRI-S9.7.3 Development Standards for buildings and works – Precinct A

BRI-S9.7.3.1 Building height and setback - Precinct A

This clause is in substitution for General Residential Zone - clause 8.4.2 Setbacks and building envelope for all dwellings, clause 8.4.3 Site coverage and private open space for all dwellings A1 and P1, clause 8.5.1 Non-dwelling development A1, A2, A3 and P1, P2, P3.

<p>Objective:</p>	<p>The siting and scale of dwellings:</p> <ul style="list-style-type: none"> (a) maintains compatibility with the lot density in Precinct A; (b) furthers the desired built character of Precinct A; (c) provides consistency in the apparent scale, bulk, massing and proportion of dwellings; and (d) provides reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space.
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Buildings in Precinct A, excluding protrusions (such as eaves, steps, porches, and awnings) must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, not less than 3m and not more than 4m; or (b) if a second storey located above a garage, not less than 3m and not more than 5.5m; or (c) if the frontage is not a primary frontage, not less than 1m. 	<p>P1</p> <p>Buildings in Precinct A must have a setback from a frontage so that the development is compatible with the desired built character of the Specific Area Plan, having regard to:</p> <ul style="list-style-type: none"> (a) the purpose of the Specific Area Plan; (b) the building line within the streetscape and prevailing setbacks of buildings on nearby properties; (c) any overshadowing of habitable rooms and private open space on adjoining properties or public places created by a greater setback; and (d) the height, bulk and form when viewed from adjoining properties.

<p>A2</p> <p>Buildings in Precinct A, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m must be setback:</p> <ul style="list-style-type: none"> (a) not less than 1m from side boundaries up to a building height of 3.5m; and (b) where a side boundary that is between 30 degrees east or west of south, not less than 2m for any part of the building over a building height of 3.5m; or (c) where the frontage is between 30 degrees east or west of north, not less than 2m from side boundaries; and (d) not less than 6m from rear boundaries. 	<p>P2</p> <p>Buildings in Precinct A must be sited so that there is no unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space on the site; (f) sunlight to private open space and windows of habitable rooms on adjoining properties; and (g) the purpose of the Specific Area Plan.
<p>A3</p> <p>Building height in Precinct A must not be more than 7m.</p>	<p>P3</p> <p>Building height in Precinct A must be compatible with the desired built character and not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the height, bulk and form of existing buildings on the site and adjacent properties; (c) the bulk and form of proposed buildings, and whether the proposed building is located towards the front of the site; (d) the apparent height when viewed from the road and public places; (e) any overshadowing of adjoining properties or public places; and (f) the purpose of the Specific Area Plan.

BRI-S9.7.3.2 Building design - Precinct A

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings.

<p>Objective:</p>	<p>The appearance and design of buildings in Precinct A:</p> <ul style="list-style-type: none"> (a) promotes a streetscape defined by visually interesting facades with strong vertical elements; (b) enhances residential amenity; (c) supports good solar access; and (d) promotes passive surveillance.
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>A front building elevation in Precinct A must:</p> <ul style="list-style-type: none"> (a) incorporate windows or doorways, excluding garage doors, comprising no less than 25% of the total area of the elevation; (b) not have a single length of blank wall greater than 30% of the total width of the elevation as viewed from the road; (c) provide for the main pedestrian access to the building; and (d) include a porch, shelter, awning, recess or similar architectural feature that identifies and provides shade and weather protection to the front door. 	<p>P1</p> <p>Buildings in Precinct A, must contribute to:</p> <ul style="list-style-type: none"> (a) a visually interesting streetscape with strong vertical elements as viewed from the road; (b) high levels of residential amenity including receiving direct sunlight to habitable rooms; (c) identifiable and visible entrances; and (d) the passive surveillance of roads.
<p>A2</p> <p>A rear building elevation in Precinct A must incorporate windows to habitable rooms comprising not less than 25% of the total area of the elevation.</p>	<p>P2</p> <p>A dwelling in Precinct A must be provided with a reasonable opportunity to receive direct sunlight into habitable rooms, having regard to:</p> <ul style="list-style-type: none"> (a) the layout of habitable rooms; and (b) the orientation of the site; and (c) the location, form and bulk of buildings on adjoining properties.

BRI-S9.7.3.3 Setback and width of garages and carports - Precinct A

This clause is in substitution to General Residential Zone – clause 8.4.5 Width of openings for garages and carports for all dwellings and clause 8.5.2 Non-residential garages and carports A1, A2, A3 and P1, P2, P3.

<p>Objective:</p>	<p>Garages and carports:</p> <ul style="list-style-type: none"> (a) contribute to an interesting streetscape through setback articulation within the front building elevation; and (b) do not dominate the streetscape along a primary frontage.
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>A garage or carport within Precinct A, must:</p> <ul style="list-style-type: none"> (a) have a setback of not less than 5.5m if access is provided from a primary frontage; or (b) have a setback of not less than 1m if access is provided from a secondary frontage. 	<p>P1</p> <p>A garage or carport within Precinct A must have a frontage setback that contributes to an interesting streetscape through articulation in front building elevations and is not the dominant visual element on a site when viewed from the street, having regard to:</p> <ul style="list-style-type: none"> (a) the siting and design of existing garages and carports within the street; (b) the design of the garage or carport; (c) the design of the existing or proposed dwelling on the site; and (d) topographical constraints.
<p>A2</p> <p>A garage or carport within Precinct A must:</p> <ul style="list-style-type: none"> (a) have a single or single tandem garage, not more than 3.6m wide, accessed from the primary frontage; or (b) have a single, tandem or double garage accessed from a secondary frontage. 	<p>P2</p> <p>The width of a garage or carport within Precinct A must not be the dominant visual element on a site when viewed from the street, having regard to:</p> <ul style="list-style-type: none"> (a) the design of existing garages and carports within the street; (b) the design of the garage or carport; and (c) the design of the existing or proposed dwelling on the site.

BRI-S9.8 Development Standards for Subdivision

BRI-S9.8.1 Lot size

This clause is in substitution for General Residential Zone – clause 8.6.1 Lot design A1 and P1.

<p>Objective:</p>	<p>New lots provide for a transition of densities consistent with the character of established development on the adjacent areas to the north and south, while maintaining an overall net density compatible with the efficient utilisation of land and existing infrastructure.</p>
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have an area of not less than:</p> <ul style="list-style-type: none"> (a) 300m² for Precinct A; (b) 500m² for Precinct B; and (c) 800m² for Precinct C. 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have an area that is compatible with the purpose of the Specific Area Plan having regard to:</p> <ul style="list-style-type: none"> (a) the attainment of the development framework shown in Figure BRI-S9.3; (b) the topography of the site; (c) the pattern of development existing on established properties in the adjacent areas; (d) the intended location of buildings on the lot; (e) the potential for non-single dwelling residential use and development; and (f) adequate provision of noise attenuation arising from the East Derwent Highway.

BRI-S9.8.2 Subdivision layout

This clause is a substitution for General Residential Zone - clause 8.6.1 Lot design A4 and P4, and clause 8.6.2 Roads.

Objective:	New lots are consistent with the purpose of the Specific Area Plan.
Acceptable Solutions	Performance Criteria
A1 The layout of lots (including lots proposed in a plan of subdivision), roads and pedestrian connections must be consistent with the development framework in Figure BRI-S9.3.	P1 The layout of lots, roads and pedestrian connections must be compatible with the purpose of the Specific Area Plan and the development framework in Figure BRI-S9.3 having regard to: <ul style="list-style-type: none">(a) the potential for passive solar design through the orientation of lots;(b) the facilitation of high levels of vehicular and pedestrian connectivity in the subdivision and to open spaces and adjacent areas;(c) the integration of landscaping into the road, pedestrian and open space network;(d) the future subdivision of adjoining lots and the likely layout;(e) the safety and efficiency of East Derwent Highway and Old Beach Road;(f) the creation of a hierarchy of roads including the creation of a new minor collector road connecting the East Derwent Highway and Old Beach Road;(g) avoiding compromising the appropriate and reasonable future subdivision of the entirety of any balance lot;(h) the travel distance between key local service destinations; and(i) any advice received from the road authority.

BRI-S9.8.3 Traffic impact

This clause is in addition to Road and Railway Assets Code – clause C3.7 – Development Standards for Subdivision.

Objective:	To minimise any adverse effects on the safety and efficiency of the road network from vehicular traffic generated by the subdivision of land.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Subdivision does not result in a total of more than 260 lots within the area south of the open space on the land subject to the Specific Area Plan as shown in Figure BRI-S9.3.</p>	<p>P1</p> <p>Vehicular traffic generated by subdivision must not impact upon the safety and efficiency of the East Derwent Highway or local road network having regard to:</p> <ul style="list-style-type: none"> (a) any increase in traffic caused by the subdivision; (b) the nature of the road; (c) the speed limit and traffic flow of the road; (d) a traffic impact assessment prepared by a suitably qualified person; and (e) any advice received from the road authority.

BRI-S9.8.4 Water sensitive urban design

This clause is in addition to General Residential Zone – Clause 8.6 Development Standards for Subdivision.

Objective:	To maintain, protect and improve the water quality of Gage Brook through a stormwater disposal system based upon water sensitive urban design principles.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Subdivision must:</p> <ul style="list-style-type: none"> (a) incorporate water sensitive urban design principles consistent with <i>Water Sensitive Urban Design Engineering Procedures for Stormwater Management in Southern Tasmania</i>; (b) include vegetated swales for stormwater management within roads where appropriate; and (c) gross-pollutant traps at the primary detention basin inlets. 	<p>P1</p> <p>Subdivision must incorporate a stormwater disposal system that maintains, protects and improves the water quality of Gage Brook having regard to:</p> <ul style="list-style-type: none"> (a) water sensitive urban design principles; and (b) the topography of the land and its natural pattern of drainage.

BRI-S9.8.5 Noise attenuation for East Derwent Highway

This clause is in substitution for Road and Railway Assets Code – clause 3.7.1 Subdivision for sensitive uses within a road or railway attenuation area.

Objective:	To provide for new lots that incorporate measures to protect the efficiency of the East Derwent Highway and the residential amenity of a sensitive use.	
Acceptable Solutions		Performance Criteria
<p>A1</p> <p>The building area, as required by clause 8.6.1 or clause BRI-S9.7.2.1, on a lot adjoining the East Derwent Highway must have a setback from the boundary with the East Derwent Highway of not less than 20m.</p>	<p>P1</p> <p>The building area, as required by clause 8.6.1 or clause BRI-S9.7.2.1, on a lot adjoining the East Derwent Highway must provide a separation distance adequate to mitigate against unreasonable impact on the efficiency of the road or amenity of sensitive uses having regard to:</p> <ul style="list-style-type: none"> (a) the setback of existing buildings for sensitive uses in the nearby area; (b) the speed limit and traffic volume on the East Derwent Highway; (c) any recommendations from a suitably qualified person for mitigation of noise; and (d) any advice received from the road authority. 	

BRI-S9.8.6 Development standards for subdivision – Precinct A

BRI-S9.8.6.1 Lot design - Precinct A

This clause is in substitution for General Residential Zone - clause 8.6.1 Lot design A1, A2 and P1, P2.

<p>Objective:</p>	<p>To provide for new lots in Precinct A that:</p> <ul style="list-style-type: none"> (a) contribute to a compact streetscape with consistent frontages; (b) facilitate a legible street block in a grid pattern; (c) are capable of supporting good solar access; and (d) are not internal lots.
<p>Acceptable Solutions</p>	<p>Performance Criteria</p>
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, in Precinct A, must have a frontage of:</p> <ul style="list-style-type: none"> (a) not less than 10m; or (b) not less than 12m when a corner lot and access is not provided from the secondary frontage; or (c) where the frontage is between 30 degrees east or west of north, not less than 12m; and (d) not more than 15m. 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, in Precinct A, must be provided with a frontage that is sufficient for the intended use having regard to:</p> <ul style="list-style-type: none"> (a) the width of frontage proposed; (b) opportunities for passive surveillance between residential development on the lot and the public road; (c) the functionality and useability of the frontage; (d) the ability to manoeuvre vehicles on the site; (e) the desired pattern of subdivision as outlined in Figure F2.3; (f) is not less than 8m; and (g) is not more than 18m.
<p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, in Precinct A, must be able to contain a minimum area of 8m by 12m with a gradient not steeper than 1 in 5, clear of:</p> <ul style="list-style-type: none"> (a) all setbacks required by clause BRI-S9.7.2.1; and (b) easements or other title restrictions that limit or restrict development. 	<p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, in Precinct A, must have sufficient useable area and dimensions suitable for its intended use having regard to:</p> <ul style="list-style-type: none"> (a) the relevant requirements for development of buildings on the lots; (b) the intended location of buildings on the lots; (c) the topography of the site; (d) the presence of any natural hazards; (e) adequate provision of private open space; and (f) the pattern of development existing on established properties in the area.

Figure BRI-S9.1 The Tivoli Green Specific Area Plan area

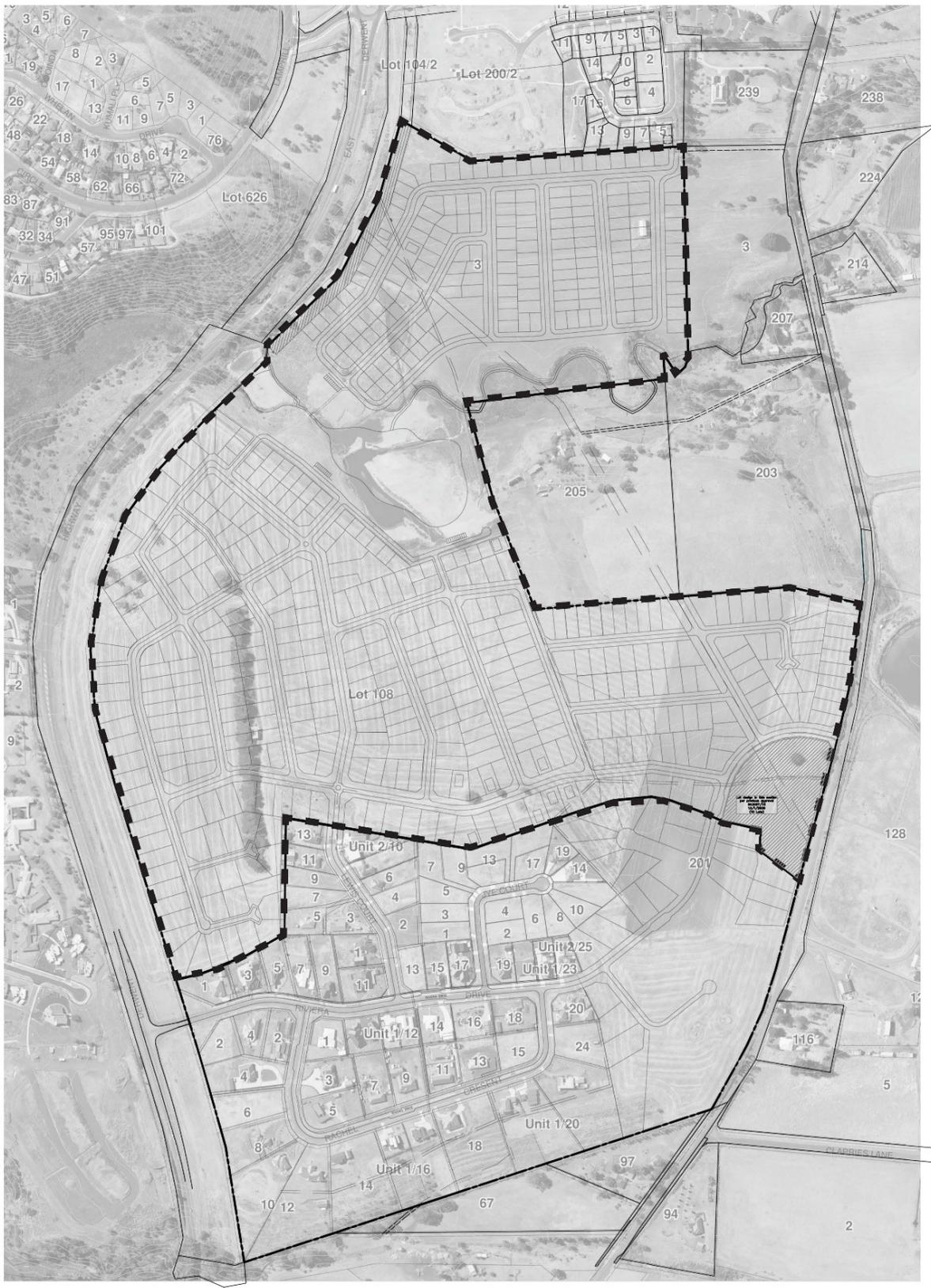


Figure BRI-S9.2 Density Areas

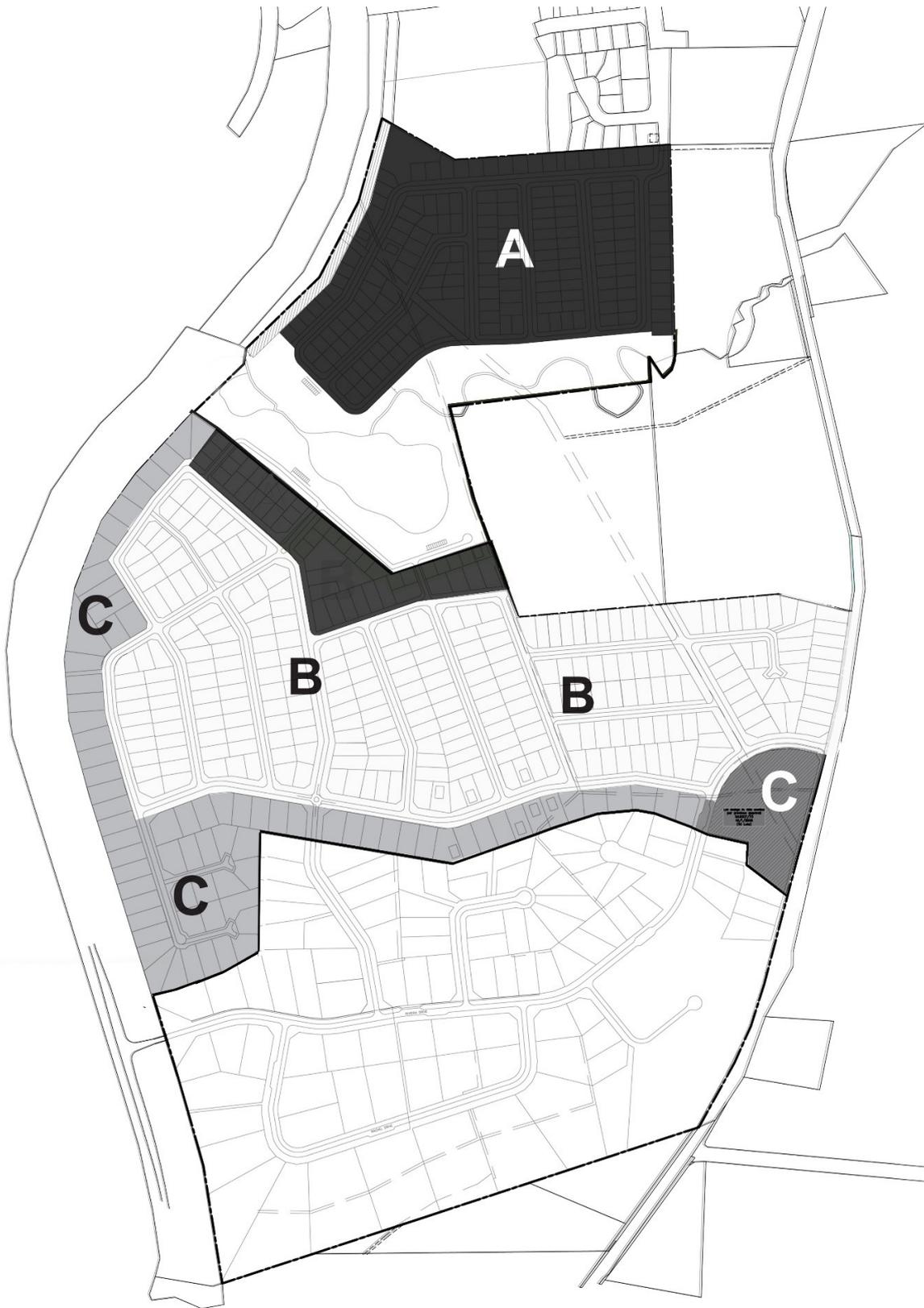
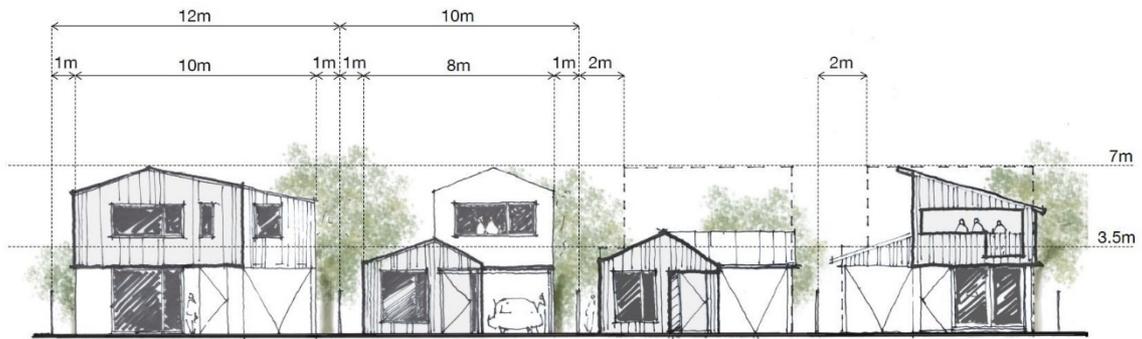


Figure BRI-S9.3 Development Framework



Figure BRI-S9.4 Example elevations of dwellings within Precinct A designed in accordance with the acceptable solutions under clauses BRI-S9.7.2.1, BRI-S9.7.2.2 and BRI-S9.7.2.3.



A4 - SCALE 1:250

FRONTAGE ELEVATION

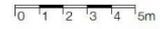


Figure BRI-S9.5 Example lot and dwelling layout of dwellings within Precinct A designed in accordance with the acceptable solutions under clauses BRI-S9.7.2.1, BRI-S9.7.2.3, BRI-S9.8.1 and BRI-S9.8.6.1, where access is from the primary frontage and the lot frontage is between 30 degrees east and west of north.

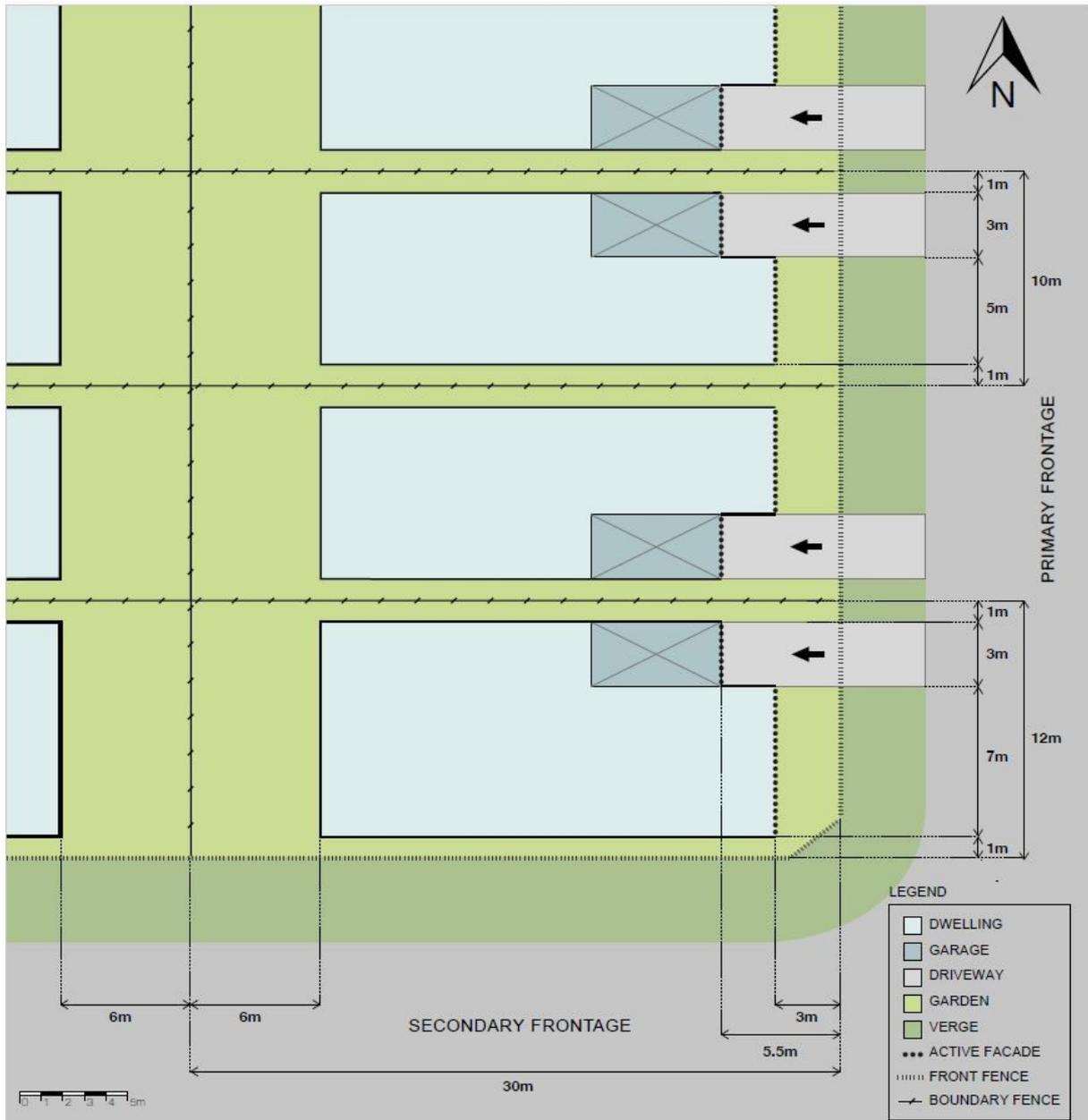


Figure BRI-S9.6 Example lot and dwelling layout of dwellings within Precinct A designed in accordance with the acceptable solutions under clauses BRI-S9.7.2.1, BRI-S9.7.2.3, BRI-S9.8.1 and BRI-S9.8.6.1, where access is from the secondary frontage and the lot frontage is between 30 degrees east and west of north.

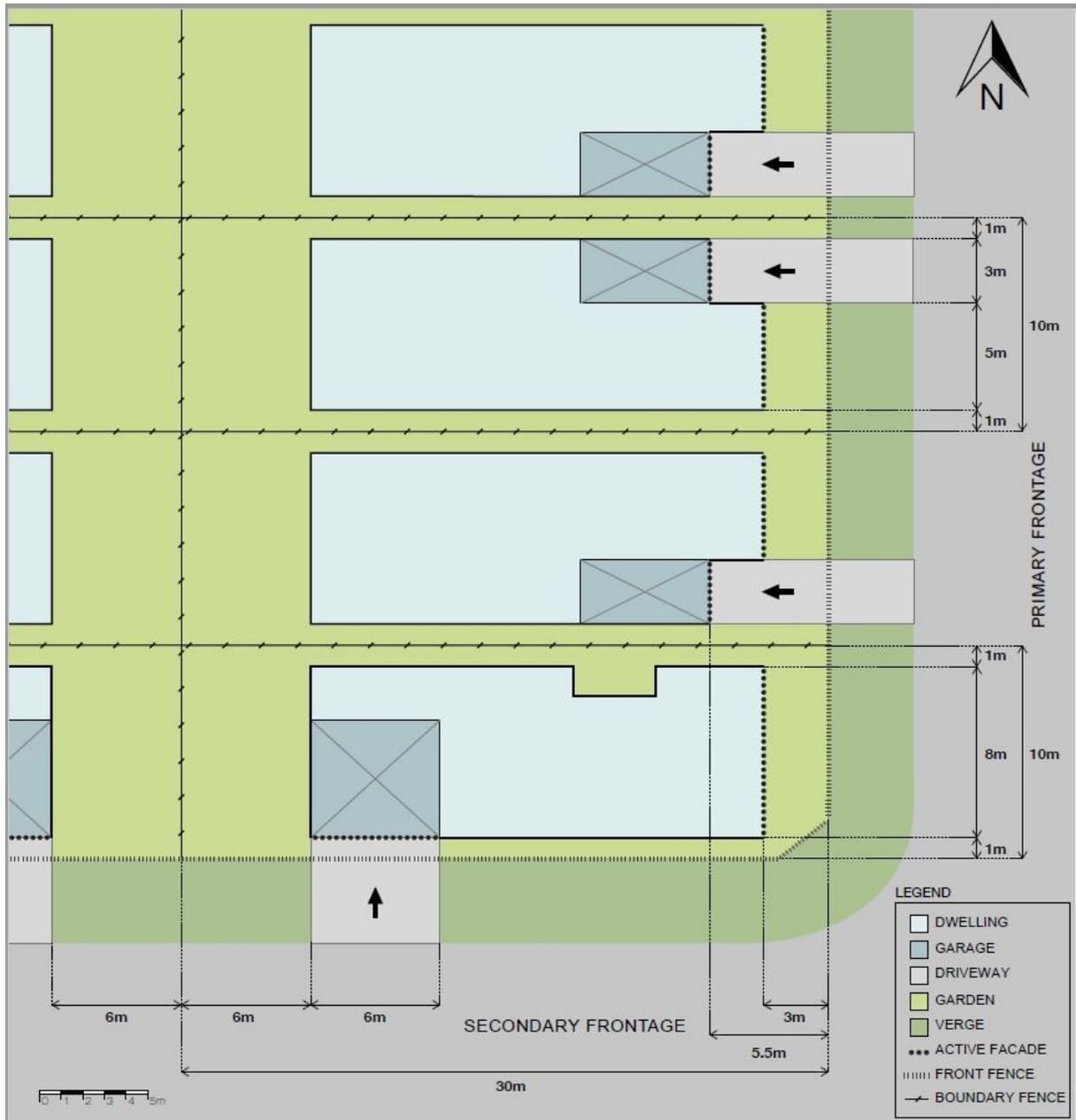
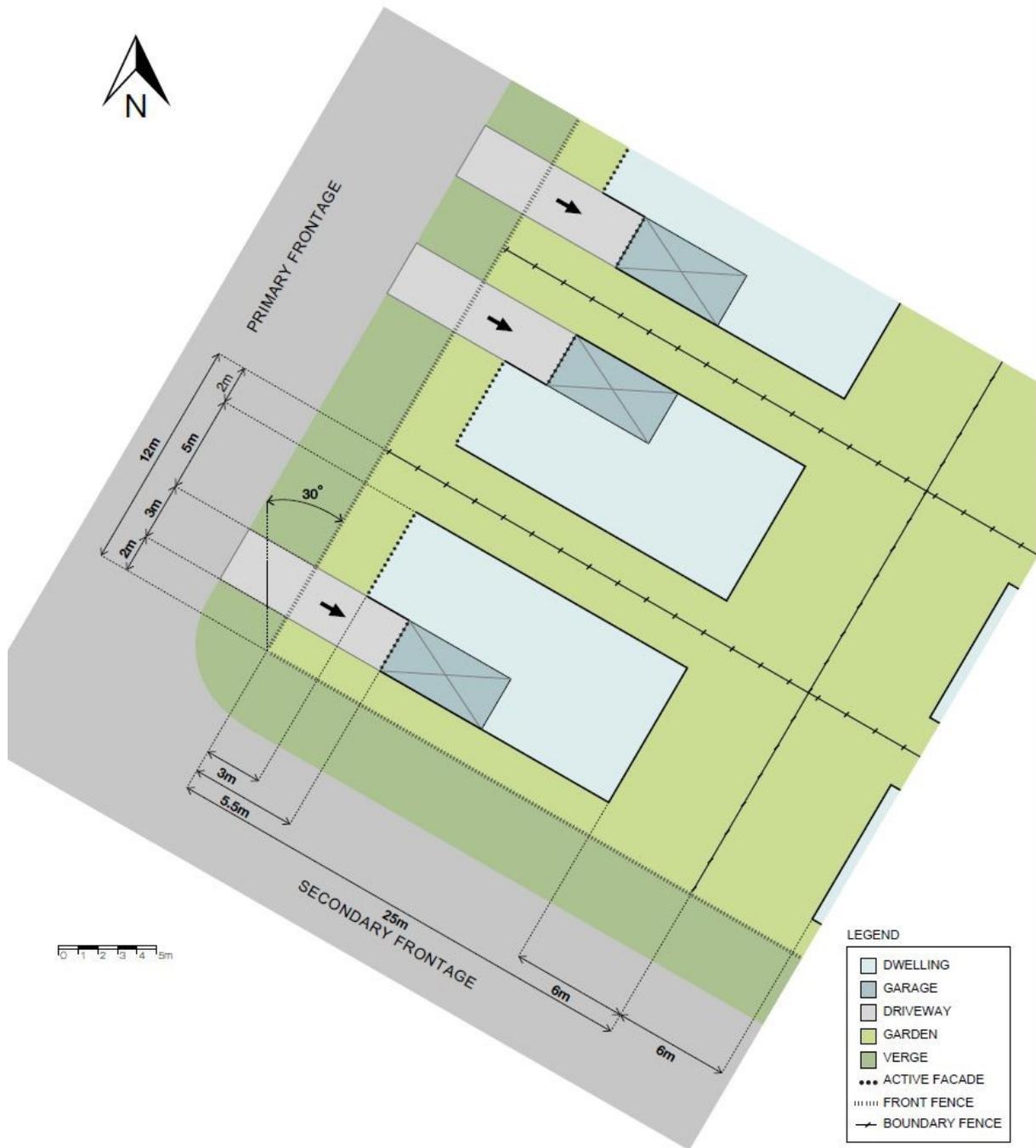


Figure BRI-S9.7 Example lot and dwelling layout of dwellings within Precinct A designed in accordance with the acceptable solutions under clauses BRI-S9.7.2.1, BRI-S9.7.2.3, BRI-S9.8.1, and BRI-S9.8.6.1, where access is from the primary frontage and the lot frontage is not between 30 degrees east and west of north.



BRI-S10.0 Brighton Industrial Hub Specific Area Plan

BRI-S10.1 Plan Purpose

The purpose of the Brighton Industrial Hub Specific Area Plan is:

BRI-S10.1.1 To protect the Brighton Industrial Hub from sensitive use establishing in the area.

BRI-S10.2 Application of this Plan

BRI-S10.2.1 The specific area plan applies to the area of land designated as Brighton Industrial Hub Specific Area Plan on the overlay maps.

BRI-S10.2.2 In the area of land this plan applies to, the provisions of the specific area plan are in substitution for the provisions of the Attenuation Code, as specified in the relevant provision.

BRI-S10.3 Local Area Objectives

This sub-clause is not used in this specific area plan.

BRI-S10.4 Definition of Terms

This sub-clause is not used in this specific area plan.

BRI-S10.5 Use Table

This sub-clause is not used in this specific area plan.

BRI-S10.6 Use Standards

BRI-S10.6.1 Sensitive Use

This clause is in substitution for Attenuation Code – clause C9.5.2 Sensitive use within an attenuation area.

Objective:	That new sensitive use is not established within the Brighton Industrial Hub.	
Acceptable Solutions	Performance Criteria	
A1 Use or development is not for sensitive use.	P1 No Performance Criterion.	

BRI-S10.7 Development Standards for Buildings and Works

This sub-clause is not used in this specific area plan.

BRI-S10.8 Development Standards for Subdivision

This sub-clause is not used in this specific area plan.

BRI-S10.9 Tables

This sub-clause is not used in this specific area plan.

BRI-Site-specific Qualifications

Reference Number	Site reference	Folio of the Register	Description (modification, substitution or addition)	Relevant Clause in State Planning Provisions
BRI-19.1	Part of 1 Parkholme Drive and 314 Midland Highway, Bridgewater	50853/1 156753/6 170481/1 170480/1	An additional Permitted Use Class for this site is: Extractive Industry	General Industrial Zone – clause 19.2 Use Table
BRI-20.1	29 Brighton Road, Brighton	63448/5	An additional qualification for the Discretionary Use class Storage for this site is: “If for self-storage.”	Rural Zone – clause 20.2 Use Table

BRI-Code Lists

BRI-Table C3.1 Other Major Roads

Road	From	To
This table is not used in this Local Provisions Schedule		

BRI-Table C6.1 Local Heritage Places

Reference Number	THR Number	Town/Locality	Street address	Property Name	Folio of the Register	Description, Specific Extent, Statement of Local Historic Heritage Significance and Historic Heritage Values
BRI-C6.1.1		Bridgewater	Wallace Street	Bridgewater Railway Station	154431/1 154459/1 154468/1 154468/2 154472/1 118026/2 118026/3 and adjoining untitled properties.	Island platform with lines intact and semaphore signals. (Last remaining of their type in working order in Tasmania). The brick station is intact. Internal rooms feature original hardwood lining around the walls. The station features a signal cabin made of concrete and plaster, which operates the Bridgewater Bridge. The station has original signs.
BRI-C6.1.2		Pontville	8 Glebe Street	House	139662/1	Single storey sandstone Victorian Georgian cottage set in a prominent location on the higher ground of the west facing bank of the Village. This cottage is important as a demonstration of a Victorian Georgian style cottage. This is demonstrated in the symmetrical façade, medium-pitched hipped roof, boxed eaves and the simple chimneys. The cottage was extended in the 1960's with a weatherboard clad extension. The oldest section of the building has a hipped roof and two chimney's.
BRI-C6.1.3		Pontville	14 Glebe Street	Congregational Church Cemetery	131925/1	There are no above surface signs of the former Church. The cemetery has several local identities buried there. Sub-surface deposits probably still remain from the first Congregational Church.
BRI-C6.1.4		Pontville	354 Brighton Road	The Stables	19804/1 23269/1	The former stable was converted into a residence in the late twentieth century but is likely to have had sleeping quarters in the loft prior to the conversion. It is a simple sandstone Victorian Georgian building in a discrete location amongst established landscape south of Lythgo's Row on the west facing bank of the village. The veranda and entry door are modern fabric introduced in the conversion to a residence. There are also several mature trees which are of some heritage significance.
BRI-C6.1.5		Pontville	365 Brighton Road	The Crown Inn	63/1587 145449/2 30848/1	This is a sandstone Old Colonial Georgian hotel set close to the edge of the former Midland Highway. From the road it is a single storey building with an attic, from the rear two full stories. It has been progressively modernised and is

						important as a demonstration of a colonial inn with progress updates through the nineteenth and twentieth centuries. This is demonstrated in the symmetrical façade, exposed stonework, medium-pitched hip roof, boxed eaves, simple portico, small-paned side casement windows, and stone lintels and sills.
BRI-C6.1.6		Pontville	2 Victoria Street	Former Police Residence	127641/1	<p>This weatherboard clad residence is constructed in the Inter-War California Bungalow Style. It has a low pitched corrugated iron roof, entry porch with visually separate roof, window pairs of small paned double hung sashes to top and large paned sashes to lower sections of the windows.</p> <p>Outbuildings consist of an original weatherboard clad lockup of two timber-lined cells which have survived without modification and is an important demonstration of the former use of the site.</p>
BRI-C6.1.7		Pontville	2A Cheyne Street	Former Service Station	141634/1	The former service station is a demonstration of a modern style petrol station. This is demonstrated in the prominent cantilevered roof form, the simple cubiform, the parapeted side walls and the simple square windows.
BRI-C6.1.8		Pontville	378 Brighton Road	Mr Wells Cottage	57050/1	This simple weatherboard structure has a gabled roof clad in corrugated iron, a central front door, two pairs of double hung windows, and a rear skillion. The door and windows have been a c.1925 modernisation.
BRI-C6.1.9		Pontville	380 Brighton Road	Sidney's Bakery & Butcher Shop	108183/1	This simple weatherboard structure has a hipped roof clad in corrugated iron, and evidence of two front doors, which have been sealed off.
BRI-C6.1.10		Pontville	12 Rifle Range Road	Pontville Small Arms Range Grassland Site	174556/1	This is a Commonwealth property that has been used primarily for small arms practice. It comprises approximately 170ha of west facing hillside which contains remnant vegetation that is largely intact from the valley floor to the crown of the hill. The rifle range features a series of firing mounds created at 100m intervals by addition of soil and sowing of non-native grassy species. There is a small brick magazine for the storage of ammunition that relates to the Second World War era. The site contains a range of vegetation communities including woodlands dominated by Eucalyptus Viminalis (white gum), E.globulus (blue gum), and Allocasuarina verticillata (she-oak), kangaroo grass, spear grass and wallaby grass. The woodlands

						and grasslands provide a species refuge for native fauna.
BRI-C6.1.11		Pontville	1A Ford Road	Pontville War Memorial Reserve	19358/8 19358/2	This is a reserve with the entrance facing towards the hill of the Pontville Village. The sandstone memorial is prominent from the entrance. The highway border is formed by a mature Cyprus tree.
BRI-C6.1.12	1027 7	Pontville	362 Brighton Road	Former Police Pound/Old Gaol Ruins	127641/2	This site contains the archaeological deposits of the C.1837 stone cottage. It is now a public park.
BRI-C6.1.13		Tea Tree	451 Tea Tree Road	Maiden Erleigh	11033/4	Single storey stone house with hipped roof and boxed eaves. The front has a central timber door with fanlight and 12 large pane windows either side. Glassed in addition is at the rear of the house.
BRI-C6.1.14		Tea Tree	503 Tea Tree Road	Strathallan	229479/1	Single storey stone house with hipped roof with boxed eaves and return veranda on three sides. The front has 3 bays separated by pilasters, a central 4 panel timber door with fanlight and half sidelights and large 12 pane windows either side. Includes a stone barn and stables.
BRI-C6.1.15		Tea Tree	555 Tea Tree Road	Willowbrook	133831/1	Timber house on stone foundations with hip roof and boxed eaves with attached bull-nose veranda. The front has a central timber door with fanlight and windows either side with a half glassed wall on the veranda side. Ashlar stone gable roof barn from original house.
BRI-C6.1.16		Tea Tree	729 Tea Tree Road	House	233168/1	Single storey Victorian Georgian timber cottage with hipped roof with closed eaves and front veranda with wrought iron fringe and crossed timber balustrade. The front of the house has a central modern door and windows either side. There is a skillion addition at the rear.
BRI-C6.1.17		Tea Tree	790 Back Tea Tree Road	Cottage	140731/1	Single storey brick and galvanised iron cottage constructed in 1900.
BRI-C6.1.18		Pontville	325 Brighton Road	War Memorial Hall	233207/1	This is a rendered Community Hall in the Inter-War Functionalist style. It is mainly one storey with a two storey centrepiece. Matching addition on northern side. The memorial hall is important as a demonstration of an Inter-War Functionalist public building. This is demonstrated in the simple geometric shapes, long horizontal spandrel and roof concealed by parapet.
BRI-C6.1.19		Pontville	371 Brighton Road	Former Council Chambers	240037/1	Single storey 1934 red brick building with sandstone foundations from earlier goal and recent additions. Façade consists of a decorative

						Dutch gable parapet with an offset projecting porch with 4 decorative brick and cement render piers with a hip roof.
BRI-C6.1.20		Bridgewater	11 Weily Park Road	Parkview	92072/1	A house with a projecting gable out each side and a veranda between. It is detailed with paired columns on the veranda and finials on the gable ends.
BRI – C6.1.21		Bridgewater	21 Weily Park Road	Cottage	27847/1	A small timber cottage located next to the Bridgewater Sports Grounds. It features a central door and flanking windows with a hip roof over.
BRI-C6.1.22		Brighton	Unit 2, 70 Andrew Street	Cottage	164154/1	This is a weatherboard cottage with a central door, flanking double hung windows and hipped roof with narrow boxed eaves. The veranda on the street facade has timbered ends and single posts with a timber decorative valance.
BRI-C6.1.23		Brighton	168 Brighton Road	Cottage	11271/3	This is a weatherboard cottage with a central door, flanking double hung windows and hipped roof with narrow boxed eaves. The skillion veranda, on the street facade, has single posts and a timber valance.
BRI-C6.1.24	624	Bridgewater	18 and 20 Old Main Road	St. Mary's Anglican Church and Cemetery	139728/1 139728/2	A small rural church built in the Victorian Academic Gothic style. It is intact in almost every respect and is an excellent example of the style. The site also includes a graveyard.
BRI-C6.1.25	625	Bridgewater	25 Old Main Road	Coronation Hall	146756/1	An unusual single storey weatherboard building with a combination gable, a pair of projecting hipped roofs and half-timber decoration in gable ends. On each of the projecting hips, which are either side of a covered entry, there is a fixed window of three squares high. There is a diamond motif with a vent in it in the centre of the gable end.
BRI-C6.1.26	621	Bridgewater	25 Sorell Street	Cottage	221998/1	An early weatherboard cottage with two doors to the street and three windows. It has a hipped roof with no eaves and a skillion to the rear. The weatherboard walls have no paint and are heavily weathered.
BRI-C6.1.27	627	Brighton	88 Andrew Street	House	204320/1	This is a single storey building with an original Georgian section featuring a central door and flanking double hung windows. To this there has been added several weatherboard additions which feature a veranda with a timber decorated valance.
BRI-C6.1.28	628	Brighton	91 Andrew Street	Cottage	16995/1	This is a weatherboard cottage with a central door, flanking windows and gabled roof with narrow boxed eaves. The veranda on the street facade has hipped ends, cast iron

						brackets and single posts. There is a gable addition to the rear.
BRI-C6.1.29	629	Brighton	620 Briggs Road	The Cottage, formerly known as Pensioners' Row	20091/5	This is a masonry cottage with a central door, flanking double hung windows and hipped roof with narrow boxed eaves. The veranda on the street facade has timbered ends, timber brackets and single posts. There is a skillion addition to the rear.
BRI – C6.1.30	630	Brighton	13 Derwent Street	Stone Cottage	32813/3	This is a small stone cottage building in similar style to a Crofters cottage. It is a floor and half high, three bays wide with a central front door and twelve paned double hung windows on the ground floor and six paned windows on the half floor. There is a skillion addition to the rear. This is an unusual building in this context.
BRI-C6.1.31	638	Brighton	126 Elderslie Road	Stonefield (formerly Braeside)	125945/1	This is a two-storey sandstone building of three bays wide with a central door featuring a semi circular fanlight. The windows are twelve paned double hung. There are some stone buildings to the rear.
BRI-C6.1.32	636	Brighton	133 Brighton Road	Wakefield	50443/1	This is a single storey weatherboard house with a return veranda to a cant bay on the street facade and a square bay on the side facade. The roof is hipped with an internal gutter; the veranda now has steel treillage posts.
BRI – C6.1.33	633	Brighton	28 Brighton Road	The Lodge	65052/1	This is a group of buildings conjoined around a courtyard space. The house is of single storey with attic, steep pitched roof clad in corrugated iron, decorated barge boards and finials in the Victorian Rustic Gothic style, a central doorway with a modern flat-roofed open porch with two veranda posts. Windows are 4 paned. To the side of the courtyard there is a veranda, central door and flanking double hung windows. The veranda continues to link with the conjoined outbuildings. There is also a modern timber gable roofed building with vertical boards, of no significance.
BRI-C6.1.34	637	Brighton	417 Millvale Road	House	244785/12	This is a weatherboard cottage with a central door, flanking double hung windows, hipped roof with narrow boxed eaves and a dormer window. The skillion veranda, on the street facade, has single posts a vertical board rail and glazed ends.
BRI-C6.1.35	631	Brighton	621 Millvale Road	Cottage	157488/1	This is a single storey weatherboard cottage with a projecting hipped roof from a main hipped roof. The projecting section has a bay window and timber detailing. There is a

						veranda over the main entry door that features timber detailing.
BRI-C6.1.36	632	Brighton	1 Racecourse Road	House	250530/1	This is a weatherboard cottage with a central door, flanking double hung windows and steeply pitched hipped roof with narrow boxed eaves. There is a veranda on three sides with single posts and is convex in form.
BRI-C6.1.37	640	Gagebrook	2 Briggs Road	St. George's Church	125275/1	This is a small sandstone and weatherboard church. The chancel is constructed from sandstone and the body of the building is weatherboard. All roofs are gables and there is a vestry wing constructed from concrete blocks, a recent addition.
BRI-C6.1.38	642	Gagebrook	50 Briggs Road	The Pig and Whistle	208860/1	This is an Old Colonial Georgian building of a vernacular nature featuring a half gabled roof, a central panelled door and flanking double hung windows. There is an attic window in each gable end. The walls are sandstone rubble construction. There is also a weatherboard building and a timber barn associated with this site.
BRI – C6.1.39	643	Old Beach	359 Baskerville Road	Purdonville	16663/1	This is a sandstone cottage with a central door, flanking double hung windows and a hipped roof with narrow boxed eaves and a single dormer window. The veranda on the street facade has hipped ends and single posts featuring decorative timber brackets.
BRI-C6.1.40	639	Gagebrook	37 Briggs Road	Former Uniting Church and Cemetery	134307/1	This is a small sandstone church with a gabled roof and eaves and bargeboards at each end. There are two blind lancet windows in the front facade and a central door with a lancet top. There is a small lancet vent in the peak of the gable end. There are two windows down the side of the building and an addition to the rear. The churchyard contains a cemetery.
BRI-C6.1.41	641	Old Beach	239 Old Beach Road	Gage House (formerly Gagebrook and formerly Tivoli)	130209/1	This is a single storey stone house in Victorian style with a slate roof. There are pale stone quoins and surrounds to openings and honey colour stone to walls. The building features French doors and double hung windows and two paned transom lights and there is a dentil-course to the cornice. There is a rear terrace with stone paving and reconstructed veranda.
BRI-C6.1.42	644	Pontville	1 Glebe Street	Craiglea	26665/3	This is a two storey sandstone Victorian Georgian house with Old Colonial Georgian 24 paned double hung windows to the ground floor. It is set on the high ground of the east

						<p>bank and is one of the most prominent buildings in Pontville.</p> <p>The house has a central panelled door with transom light, flanking double hung windows, a hipped roof clad in corrugated iron, simple chimneys, and an attached veranda surrounding the ground floor (the side and rear sections are twentieth century extensions).</p> <p>The rear cottage is of heritage significance. It is in part a modern construction using three original sandstone walls of a nineteenth century outbuilding – possibly a former stable.</p>
BRI-C6.1.43	645	Pontville	2 Glebe Street	Shepherd's Cottage	139267/1	<p>This is a pair of small sandstone conjoined cottages with steps to both of the two front doors, a steeped pitched gabled roof clad in corrugated iron, one 12 paned window adjacent each front door, and rear timber additions.</p> <p>Sandstone nineteenth century outhouse and early twentieth century timber clad outbuilding both of heritage significance.</p> <p>Modern shed.</p>
BRI-C6.1.44	647	Pontville	4 Glebe Street	Lansdowne	134956/1	<p>This is a single storey (with 20th century attic) sandstone Victorian Georgian house set in a prominent location on the higher ground of the west facing bank of the Village.</p> <p>The house has a central 4 panelled door with sidelights and transom light, flanking three-part single paned double hung windows, a hipped roof with corrugated iron over the original shingled roof and simple brick chimneys. There is a concave veranda which returns to both sides. To the southern side there is a modern extension which is set far enough back from the façade to respect its strong symmetry.</p> <p>There is a timber clad c.1950 garage set on the street edge.</p>
BRI-C6.1.45	646	Pontville	6 Glebe Street	Glendower	44652/1	<p>This is a single storey (with attic) sandstone Victorian Georgian house set in a prominent location on the higher ground of the west facing bank of the Village.</p> <p>The house has a central 5 panelled door with sidelights and transom light, flanking 12 paned double hung windows with external shutters, three dormers also with 12 paned double hung windows, a hipped roof with modern metal tiles and simple</p>

						<p>brick chimneys. There is a veranda to the southern side.</p> <p>c.1920 shed with modern gabled roof to the rear –of minor heritage significance. The cladding is modern.</p>
BRI-C6.1.46	8076	Pontville	1 Marlborough Street	Cottage	106569/1	<p>This building is single storey weatherboard conjoined cottages now made into a single dwelling. The façade has lost one of its two four-panelled doors. The roof is corrugated iron with simple chimneys. The separate veranda has post spacing reflecting the original two entrances.</p> <p>Modern weatherboard single garage near Marlborough Street. There is an old fruit tree of some heritage significance in the front yard.</p>
BRI-C6.1.47	648	Pontville	3 Marlborough Street	Turnkey's Cottage	33449/1	<p>This building is single storey brick conjoined cottages now made into a single dwelling. The original façade has two four-panelled doors with flanking 12 paned double-hung sash windows, an attached veranda under a broken-back roof of corrugated iron and simple chimneys. A twentieth century front door has been constructed to the southern corner to face Marlborough Street.</p> <p>Weatherboard clad c.1950 garage of minor heritage significance.</p>
BRI-C6.1.48	651	Pontville	314 Brighton Road	St. Matthew's Roman Catholic Church and Cemetery	36421/1 214299/1 30200/13 30200/14 30200/15	<p>This is a sandstone Church with bellcote, steeply pitched roof clad in modern tiles in a diamond pattern, lancet windows and wall buttresses marking structural bays. The churchyard includes a cemetery.</p> <p>The modern rectory is adjacent the Church.</p> <p>There are a number of mature trees of heritage significance.</p>
BRI-C6.1.49	652	Pontville	333 Brighton Road	Epsom House	65742/4 65742/5	<p>This is a two storey sandstone Old Colonial Georgian former Inn set in a prominent location close to Brighton Road (formerly Midland Highway) and ending the vista of Ford Road where it meets Brighton Road.</p> <p>The house has a central 6 panelled door with sidelights and fanlight sheltered by a Doric portico, flanking 12 paned double hung windows with external stone architraves and intact internal shutters, a hipped roof with corrugated iron sheeting and simple brick chimneys.</p> <p>Stone shed converted to garage</p>

						The mature trees are of some heritage significance to the local community.
BRI-C6.1.50	8071	Pontville	2 Ford Road	Uniting Church	22212/1 22390/1	This is a simple sandstone Church with steeply pitched roof, lancet windows, wall buttresses marking structural bays and porch.
BRI-C6.1.51	655	Pontville	352 Brighton Road	Lythgo's Row Cottage (also known as The Barracks Cottage)	23304/1	<p>This is a single storey weatherboard Victorian Georgian cottage set discretely amongst the trees south of Lythgo's Row.</p> <p>The cottage has a central 4 panelled door, flanking 6 paned casement windows, and a gabled roof with corrugated iron sheeting. There is a veranda to the southern side.</p> <p>There are several mature trees which are of some heritage significance.</p>
BRI-C6.1.52	654	Pontville	358 Brighton Road	Lythgo's Row (formerly Lythgo's Store)	100187/1	<p>This is a single storey (with attic) sandstone Victorian Georgian house set in a prominent location on the higher ground of the west facing bank of the Village.</p> <p>The house has a central 5 panelled door with sidelights and transom light, flanking 12 paned double hung windows with external shutters, three dormers also with 12 paned double hung windows, a hipped roof with modern metal tiles and simple brick chimneys. There is a veranda to the southern side.</p> <p>There are several mature trees of heritage significance to the local community.</p>
BRI-C6.1.53	10010	Pontville	371 Brighton Road	Pontville Gaol / Watch House	240037/1	<p>This is a brick single storey Federation Free Style Hall facing the Midland Highway at an oblique angle.</p> <p>The Hall has an asymmetrical façade with large porch set on squat columns, a gabled parapet to one side with an arch with variegated voussoirs, and contrasting horizontal banding.</p> <p>This site includes archaeological deposits of the former Police Office and Watch House.</p>
BRI-C6.1.54	10278	Pontville	371 Brighton Road	Pontville Constable's Quarters	240037/1	Remains of cottage associated with the Gaol/Watch House.
BRI-C6.1.55	656	Pontville	1 Kimberley Street	Kimberly (former Anglican Rectory)	53014/1	<p>This is a symmetrical single storey sandstone Colonial Georgian house set in a prominent location at the northern entry to the Pontville Village.</p> <p>The house has a central panelled door with sidelights and transom</p>

						light, flanking 12-paned double hung windows, a hipped roof with corrugated iron sheeting and simple brick chimneys. There is a veranda to the street. To the northern side there is a rear wing with its own roof and a separate outbuilding.
BRI-C6.1.56	657	Pontville	379 Brighton Road	Stace House (later Post Office)	30350/1 207513/1	<p>This is a sandstone Colonial Georgian house with the one storey façade facing Brighton Road (formerly Midland Highway) and falling away to the rear where two stories plus loft face the River. The house has a central 6 panelled door with sidelights and transom light, flanking 12 paned double hung windows, a hipped roof with corrugated iron sheeting and simple brick chimneys. There is an asymmetrical veranda to the façade. A facade window was modified for post office use and the modification remains intact.</p> <p>c.1910 weatherboard-clad outhouse. On the attached corner site there is a c.1910 shed with broken back roof clad in small sheets from flattened metal drums.</p> <p>Remains of 'Iron Store' on the attached corner lot facing the Midland Highway. There are some mature trees of heritage significance.</p>
BRI-C6.1.57	659	Pontville	403 Brighton Road	Brooksby	33699/1	<p>This is a two storey sandstone Victorian Rustic Gothic house located opposite the St Mark's Church on Brighton Road (formerly Midland Highway.)</p> <p>The house has an L shaped plan, a single storey bay with entry door in one facet, decorative barge boards, and square headed windows divided by mullions. The windows are double hung or side casements. The roof is gabled and clad in corrugated iron, with simple chimneys.</p> <p>Stone stables where early church services were held. Brick coach-house. There are some mature trees of heritage significance.</p>
BRI-C6.1.58	658	Pontville	404 Brighton Rd	St Mark's Anglican Church and Cemetery	216117/1	<p>This is symmetrical sandstone Victorian Romanesque Church set in a prominent location at the northern entry to the Pontville Village.</p> <p>The Church is original in design and is simple and restrained. The arcaded entrance gives the impression of a much bigger Church.</p>

						<p>Historic graveyard contains several Butler family graves and Cedar of Lebanon tree.</p> <p>There is a modern outbuilding towards the rear.</p> <p>The cemetery holds many prominent locals including the Butler family. There is a separate wooden bell-tower and a fine stone front fence, both of heritage significance. The mature trees are of heritage significance including the Cedar of Lebanon.</p>
BRI-C6.1.59	653	Pontville	Brighton Road	Jordan River Road Bridge	Not applicable	<p>This is a five span bridge crossing the Jordan River as part of the former Midland Highway, now known as Brighton Road.</p> <p>The bridge features the 1842-48 stone piers and abutments covered by a concrete deck and frame which replaced the original timber deck and frame.</p>
BRI-C6.1.60	649	Pontville	8 Prince Street	Prison Commandant's Cottage	24786/1 231744/1	<p>The house is a single storey sandstone building with central door and flanking double hung sash windows, corrugated iron roof and simple tall chimneys.</p> <p>The outbuilding, formerly Undy's one-roomed cottage has a central doorway, flanking windows, a medium pitched hipped roof, and a modern skillion attached to the northern side. Remnants of earlier cottage on one lot.</p>
BRI-C6.1.61	650	Pontville	2 Rifle Range Road	The Sheiling	167716/1	<p>This is a two storey sandstone Victorian Georgian former conjoined cottages set on Bell's Old Line of Road (later known as Tea Tree Brush Road).</p> <p>The facade has two doors at opposite ends, side casement windows, and a truncated roof with corrugated iron sheeting, two dormers and clustered stone chimneys. There is a 1970s modern wing at A remnant of 1820-24 Bell's Line of Road has survived as part of the driveway to the Sheiling. There are some mature trees of heritage significance.</p>
BRI-C6.1.62	662	Tea Tree	765 Back Tea Tree	Glen Quoin	166958/1	<p>This single storey weatherboard building is in the Victorian style. The facade is asymmetrical with a projecting gable with bay window. The roof (which is bracketed) is covered with corrugated iron, and there are two brick chimneys. The projecting gable is decorated with bargeboards and finial. A veranda with bull-nosed roof shelters part of the facade. There is a modern front</p>

						addition located on the east side of the house.
BRI-C6.1.63	661	Tea Tree	945 Back Tea Tree	Rosewood	165234/1	This two-storey sandstone rendered house is in the Victorian style. It has an asymmetrical front with a projecting two-storey wing (with bow window). The hipped roof is covered with corrugated iron, and there are three chimneys. Part of the facade is sheltered by a two storey veranda that is decorated with cast iron brackets and panelling. The windows are mostly double hung and single paned. There are three outbuildings, two are of weatherboard construction and the other is sandstone.
BRI – C6.1.64	663	Tea Tree	610 Middle Tea Tree	Torwood	103137/1 103137/5	Also known as Tallwood, is a single storey brick building with a hipped roof, double hung windows, moulded architraves and quoins. There is a veranda with timber posts to three sides of the building and a weatherboard addition to the rear.
BRI-C6.1.65	664	Tea Tree	739 Middle Tea Tree	Eastwood	145636/1	It is a single storey weatherboard building with a gabled roof, attic window and a veranda to three sides. There is single-storey sandstone and gable roofed dairy attached.
BRI-C6.1.66	665	Tea Tree	940 Middle Tea Tree	St. Thomas' Anglican Church and Cemetery	37588/54	This timber framed weatherboard church (with porch) is in the Victorian Carpenter Gothic style. The steeply pitched gabled roof is covered with corrugated iron. The entrance is obtained through the porch. The windows are segmented arches. The site includes the gravestones of early families.
BRI – C6.1.67	668	Tea Tree	793 Tea Tree Road	Woodlands House and Outbuildings	16324/1	Single Storey, sandstone, with three attic rooms. Constructed between 1839 and 1842 in the Georgian, English Colonial style. Two original sandstone cottages also intact.
BRI-C6.1.68	209	Bridgewater	50 Boyer Road	Genappe	44724/8	A two-storey vernacular Georgian farmhouse built from brick. It has a centrally placed door with flanking windows and is three bays wide. Also includes a brick barn.
BRI-C6.1.69	619	Bridgewater	1 Parkholme Drive	Parholm	170480/1 166071/1 156374/1	A farm group of buildings, including main house and outbuildings. The main house is two storeys with a surrounding veranda. There is a single storey section to the rear with a hip roof.
BRI-C6.1.70	617	Bridgewater	14 Nielsen Esplanade	Fairfield, formerly Hayfield	159715/1	This is a single storey weatherboard house with a protruding wing to the side, central door, flanking double hung windows and a side return veranda with slender posts and cast iron brackets.

BRI-C6.1.71		Brighton	23 Menin Drive	Brighton Army Camp Hospital	169004/1	The hospital is a single storey painted timber building. It was first constructed in 1939 in response to the outbreak of World War II. It was a fundamental part of the Brighton Army Camp, which is of major significance to Tasmanian History, as both the primary army training facility 1939-1998 and as temporary residence for migrants and refugees from World War II and right up to the 1990s when Kosovar refugees were housed there. The Army Camp also housed Italian prisoners of war (POWs) and people who lost their homes in the 1967 bushfires. The Hospital is the last remaining building on this site that has a long and layered historic significance.
BRI-C6.1.72		Brighton	241 Brighton Road	Brighton Army Camp Parade Grounds	166272/1	The parade grounds represent the front section of the Brighton Army Camp, which connected it to the township of Brighton. Components of the original gate are still located in Remembrance Park at the Brighton Road frontage and the sides of the site still contain the original streets of Menin Road and Lille Road. The Brighton Army Camp was of major significance to Tasmanian history, as both the primary army training facility 1939-1998 and as temporary residence for migrants and refugees from World War II and right up to the 1990s when Kosovar refugees were housed there, The Army Camp also housed Italian prisoners of war (POWs) and people who lost their homes in the 1967 bushfires.

BRI-Table C6.2 Local Heritage Precincts

Reference Number	Town/Locality	Name of Precinct	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy
This table is not used in this Local Provisions Schedule			

BRI-Table C6.3 Local Historic Landscape Precincts

Reference Number	Town/Locality	Name of Precinct	Description, Statement of Local Historic Heritage Significance, Historic Heritage Values and Design Criteria / Conservation Policy
BRI-C6.3.1	Pontville	Pontville	Statement of Local Historic Heritage Significance

		<p>The significance of Pontville's landscape is that it is an intact early Victorian village, built on and within the area used by the Mumuriminna Aboriginal people for thousands of years.</p> <p>The village retains layers of Colonial occupation as well as twentieth century attributes. The heritage significance occurs in the forms of individual buildings, groups of buildings, streetscape and in important views and vistas.</p> <p>The character of Pontville is created not just by its building, but also from its open spaces, historic gardens and orchards, bushland, rural surrounds and undulating topography.</p> <p>The early road system, early subdivision layout, the Colonial, Victorian and Early Twentieth Century layers of occupation and the Pioneer Memorial plantings all still form important characteristics of the cultural landscape of Pontville.</p> <p>The Pontville Cultural Landscape Precinct seeks to protect and promote all significant heritage that comprises Pontville's cultural landscape through the application of Heritage Protection Areas (HPAs), which, together with the general provisions of the Heritage Code, regulate land use and development to conserve heritage elements and the landscape character of the village.</p> <p>Design Criteria / Conservation Policy</p> <p>Development is to comply with:</p> <ul style="list-style-type: none"> (a) the orientation and setbacks of proposed buildings are consistent with traditional patterns for similar kinds of buildings in Pontville; (b) the size, shape and proportions of facades and their relationships to the street and to other boundaries are consistent with the traditional patterns established in Pontville; (c) building form harmonises with traditional buildings in Pontville, in terms of layout, proportions, symmetry and balance, number of storeys, height, roof form, roof pitch, and the size and placement of external doors and windows; (d) external materials, finishes, colours and architectural details are compatible with and do not detract from the established historic character of Pontville; (e) walls, fences and landscaping are compatible with and do not detract from the established historic character of Pontville; and (f) in the areas shown in Figure BRI-C6.3.1.1 Pontville Heritage Protection Areas use or development must comply with the Pontville Heritage Protection Areas (HPAs): <ul style="list-style-type: none"> (i) HPA 1 – All development is prohibited. (ii) HPA 2 – New dwellings are prohibited. (iii) HPA 3 – Archeologically sensitive area, all development is prohibited.
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Figure BRI-C6.3.1 - Pontville Heritage Protection Areas (HPAs) as required by BRI-Table C6.3, Reference Number BRI-C6.3.1



BRI-Table C6.4 Places or Precincts of Archaeological Potential

Reference Number	Town/Locality	Property Name / Address/ Name of Precinct	Folio of the Register	Description, Specific Extent and Archaeological Potential
This table is not used in this Local Provisions Schedule.				

BRI-Table C6.5 Significant Trees

Reference Number	Town/Locality	Folio of the Register	Description / Specific Extent	Botanical Name	Common Name	No. of trees
This table is not used in this Local Provisions Schedule.						

BRI-Table C8.1 Scenic Protection Areas

Reference Number	Scenic Protection Area Name	Description	Scenic Value	Management Objectives
This table is not used in this Local Provisions Schedule.				

BRI-Table C8.2 Scenic Road Corridors

Reference Number	Scenic Road Corridor Description	Scenic Value	Management Objectives
This table is not used in this Local Provisions Schedule.			

BRI-Table C11.1 Coastal Inundation Hazard Bands AHD Levels

Locality	High Hazard Band (m AHD)	Medium Hazard Band (m AHD)	Low Hazard Band (m AHD)	Defined Flood Level (m AHD)
	Sea Level Rise 2050	1% annual exceedance probability 2050 with freeboard	1% annual exceedance probability 2100 (design flood level) with freeboard	1% annual exceedance probability 2100
Bridgewater	0.9	2.0	2.3	2.6
Dromedary	0.9	2.9	2.3	2.6
Gagebrook	0.9	2.0	2.3	2.6
Old Beach	0.9	2.0	2.3	2.6

BRI-Applied, Adopted or Incorporated Documents

Document Title	Publication Details	Relevant Clause in the LPS
Australian Standard AS 4282-1997-1.4.7 Control of the obtrusive effects of outdoor lighting		BRI-P2.5.3
Water Sensitive Urban Design Engineering Procedures for Stormwater Management in Southern Tasmania	Department of Primary Industries, Parks, Water and Environment 2012	BRI-S9.8.5 A1