



28 March 2024

Mr Dan Ford
Delegate (Chair)
Tasmanian Planning Commission
GPO Box 1691
Hobart Tas 7001

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

Dear Mr Ford

**Tasmanian Planning Scheme – Brighton
Draft Amendment RZ 2023-004
Burrows Avenue Specific Area Plan**

I refer to your correspondence dated 8 March 2024, and thank you for the opportunity to make further submissions and amendments to the draft Burrows Avenue Specific Area Plan (proposed SAP).

I refer to the Commission's directions dated 8th March 2024. A revised draft of the proposed SAP is attached. The following submissions are made in relation to the Commission's direction:

1.0	The draft SAP has been marked up in accordance with the template, relevant practices notes, as well as taking into consideration editing suggested by the Commission. It is noted that the descriptive term of "streetscape" has been defined in part 3.0 of the Planning Scheme.
2.0	The Local Area Objective in BRI-S12.3 has been deleted as the reference to the LAO is considered by the definitions in BRI-S12.4 and the development framework, as well as the objective of the standard, by referencing Precinct A.
3.0	This amendment has been made, with reference to RZ 2022-05.
3.1	This amendment has been made, with reference to RZ 2022-05.
3.2	This amendment has been made, with reference to RZ 2022-05.

4.0	After consideration, BRI-S12.7.1 A1 has been amended to have no acceptable solution.
4.1	Bri-S12.7.1 P1 has been amended with reference to RZ 2022-05. It is considered that the amendment suitably addresses the Objective, by considering future demand on existing infrastructure and the need for developer contribution for council infrastructure, pursuant to council's policy.
4.2	The intent of the proposed SAP is to address the unique spatial qualities of the proposed SAP area and to ensure that the necessary infrastructure is provided when the majority of lots will be developed by multiple dwellings. As such, BRI-S12.7.1 A2 is considered applicable to multiple dwelling development and accords with the plan purpose statements in BRI-S12.1.1 and BRI-12.1.4.
4.3	BRI-s12.7.1 A2/P2 has been amended to provide for consideration of existing street trees, and to accord with draft amendment RZ 2022-05.
5.0	Clause BRI-S12.7.2 has been amended to be quantifiable, and is considered to accord with the Zone Purpose Statements, in particular BRI-S12.1.2; and BRI-S12.1.4. BRI-S12.7.2 A2 has been amended, noting that the original drafting was copied from the Parking and Access Code in the Brighton Interim Planning Scheme.
6.0	The intent of the SAP is to address the spatial inequalities created by the existing lot layout and likely multiple dwelling development undertaken as a result. The objective for BRI-S12.7.3 has been amended to be more specific about the diversity required (ie number of bedrooms), and is supported by the plan purpose statement in BRI-S12.1.2.
6.1	The intent of the Standard is to facilitate diversification within the SAP area by providing for a varied mix of dwelling types across a site. The performance criteria allows for alternate floor plans which provide spaces which can be used for dual purposes (for example where an office space may be converted to a third bedroom).
7.0	BRI-S12.7.4 has been amended, with reference to RZ 2022-05
8.0	BRI-S12.8.1 has been amended, noting that the standard is in substitution for clause 8.6.1 A1/P1; and 8.6.1 A4/P4 of the subdivision standards for the General Residential zone.

8.1	BRI-S12.8.1 A2 has been amended, such that there is no acceptable solution, which takes into account that the development framework proposed is less flexible than that proposed for draft amendment RZ2022-05.
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Please do not hesitate to contact me on jo.blackwell@brighton.tas.gov.au or 6268 7028 should you wish to discuss this matter further.

Yours sincerely



Jo Blackwell

SENIOR PLANNER

Attachments:

Attachment A – Burrows Avenue SAP – Final (.pdf)

Attachment B – Burrows Avenue SAP – Final (word)

Attachment C – Burrows Avenue SAP - Marked up copy (word)

BRI-S12.0 Burrows Avenue Specific Area Plan

BRI-S12.1 Plan Purpose

The purpose of the Burrows Avenue Specific Area Plan is:

BRI-S12.1.1	To provide for the infrastructure required to service the demand created by new subdivision and multiple dwelling developments.
BRI-S12.1.2	To provide for lot and housing diversity and residential amenity which respond to the constraints of the existing land-use pattern.
BRI-S12.1.3	To provide road and pedestrian network connectivity.
BRI-S12.1.4	To provide for landscaping that contributes to and improves the character of the area.
BRI-S12.1.5	To provide for the construction of the undeveloped road reserve and encourage subdivision in accordance with the Burrows Avenue - Precinct A Development Framework.

BRI-S12.2 Application of this Plan

BRI-S12.2.1	The specific area plan applies to the area of land designated as Burrows Avenue Specific Area Plan on the overlay maps.
BRI-S12.2.2	In the area of land this plan applies to, the provisions of the specific area plan are in substitution for, or in addition to, the provisions of: (a) 8.0 General Residential zone, as specified in the relevant provision.

BRI-S12.3 Local Area Objectives

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

BRI-S12.4 Definition of Terms

BRI-S12.4.1 In this specific area plan, unless contrary appears:

Term	Definition
Council Infrastructure	means infrastructure managed by Council including stormwater networks, footpaths, roads, streetlighting, landscaping, street trees and the like.
Development Framework	means the Burrows Avenue Specific Area Plan Precinct A Development Framework as shown in Figure BRI-S12.3.
Precinct A	means the area of land shown in Figure BRI-S12.2 as Precinct A.
Street Tree	Means a tree that has the centreline of its trunk within a road reserve and grows to a minimum height of 3m.

BRI-S12.5 Use Table

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

BRI-S12.6 Use Standards

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

BRI-S12.7 Development Standards for Buildings and Works

BRI-S12.7.1 Infrastructure provision for multiple dwellings

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

Objective:	That: <ul style="list-style-type: none">(a) multiple dwelling development delivers sufficient council infrastructure to provide for road and pedestrian network connectivity and amenity.(b) developer contributions are made towards the cost and provision of infrastructure in accordance with the relevant Policy adopted by Council.
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution	P1.1 The provision and upgrading of Council Infrastructure must be provided having regard to: <ul style="list-style-type: none">(a) the demand that the development places on Council Infrastructure(b) any existing Council Infrastructure,(c) any upgrades to existing Council Infrastructure that may be required.(d) the topography and other site conditions;(e) Any advice from a State authority, regulated entity or a council; P1.2 Where Council Infrastructure has been provided by Council, an infrastructure contribution must be paid having regard to any Infrastructure Contribution policy that is relevant to the land.
A2 Not less than 1 street tree must be provided along the frontage of a new multiple dwelling development, which may include an existing street tree, except for internal lots.	P2 Street trees must be provided along the frontage of multiple dwelling development, having regard to:

	<ul style="list-style-type: none"> (a) the width of lot frontages; (b) location of infrastructure; (c) the topography of the site; (d) the safety and efficiency of the road network; (e) the nature of the road; and (f) existing vegetation that can be retained.
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BRI-S12.7.2 On site Landscaping for multiple dwellings

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

Objective:	That new multiple dwellings contribute positively to the amenity, safety and character of the area through provision of trees and landscaping treatments.	
Acceptable Solution		Performance Criteria
A1 Multiple dwellings must provide not less than 1 tree in the private open space per dwelling which can grow to a minimum height of 3m maturity and minimum spread of 2m.		P1 Multiple dwellings must provide a reasonable level of landscaping, having regard to: <ul style="list-style-type: none"> (a) Existing vegetation to be retained on site; (b) Areas to be landscaped; (c) The topography of the site; (d) Proposed planting; and (e) Location of infrastructure.
A2 Landscaping of parking and circulation areas must be provided where more than 5 car parking spaces are proposed. This landscaping must be no less than 5% of the total area of the car park including circulation spaces.		P2 Landscaping of parking and circulation areas must contribute positively to the amenity and character of the area having regard to: <ul style="list-style-type: none"> (a) minimising the visual impact of the parking and circulation areas on the streetscape; (b) minimising any loss of amenity of the occupants of adjoining properties; and (c) minimising opportunities for crime or anti-social behaviour through the creation of concealment spaces.

BRI-S12.7.3 Housing diversity

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

Objective:	To provide for multiple dwelling diversity including number of bedrooms.
Acceptable Solutions	Performance Criteria
A1 Multiple dwelling development must be for: <ul style="list-style-type: none"> (a) no more than 4 multiple dwellings on a site; or (b) no more than 80% of multiple dwellings are 2-bedroom dwellings. 	P1 Multiple dwelling development must provide a range of dwelling sizes having regard to: <ul style="list-style-type: none"> (a) the number of bedrooms per multiple dwelling; and (b) rooms that could be used as a bedroom.

BRI-S12.7.4 Development and works in Precinct A

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

Objective:	That buildings and works do not prejudice the future utilisation of land for urban development in Precinct A.
Acceptable Solution	Performance Criteria
A1 Building and works within Precinct A must be: <ul style="list-style-type: none"> (a) for an addition to an existing dwelling; (b) be of a temporary nature able to be removed prior to the development of the land; or (c) be on a lot, excluding a balance lot, that has been created by an approved subdivision under this Specific Area Plan. 	P1 Building and works within Precinct A must not preclude or hinder the effective implementation of the development framework in Figure BRI-S12.3, having regard to: <ul style="list-style-type: none"> (a) streetscape character and amenity; (b) existing use and development; (c) opportunities for passive surveillance; and (d) provision of Council infrastructure along the frontage of the site.

BRI-S12.8 Development standards for Subdivision

BRI-S12.8.1 Subdivision - Precinct A

This clause is in substitution for General Residential Zone – Clauses 8.6.1 Lot design A1 and P1; and 8.6.1 A4 and P4.

Objective:	That subdivision within Precinct A provides for consistency with the purpose of the Specific Area Plan and the Development Framework.
Acceptable Solutions	Performance Criteria
A1	P1

<p>Each lot, or a lot proposed in a plan of subdivision, must be:</p> <ul style="list-style-type: none"> (a) in accordance with the Development Framework (b) Have an area of not less than 450m², and: <ul style="list-style-type: none"> (i) be able to contain a minimum building area of 10m x 15m with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; or (c) be required for public use by the Crown, a council or a State authority; (d) be required for the provision of Utilities; or (e) be for the consolidation of a lot with another lot provided each lot is within the same zone. 	<p>The layout of lots, roads and pedestrian access must be reasonably consistent with the Development Framework having regard to:</p> <ul style="list-style-type: none"> (a) demonstrated site constraints; (b) topography; (c) provision of necessary road and service infrastructure; (d) any relevant codes; and (e) any advice received from the road authority.
<p>A2</p> <p>No Acceptable Solution</p>	<p>P2</p> <p>The provision and upgrading of Council Infrastructure must be provided having regard to:</p> <ul style="list-style-type: none"> (a) the demand that the development places on Council Infrastructure; (b) any existing Council Infrastructure; (c) any upgrades to existing council infrastructure that may be required; (d) the topography and other site conditions; (e) any advice from a State authority, regulated entity or a council; <p>P1.2</p>

Where Council Infrastructure has been provided by Council, an infrastructure contribution must be paid as specified in any Infrastructure Contribution policy that is relevant to the land.

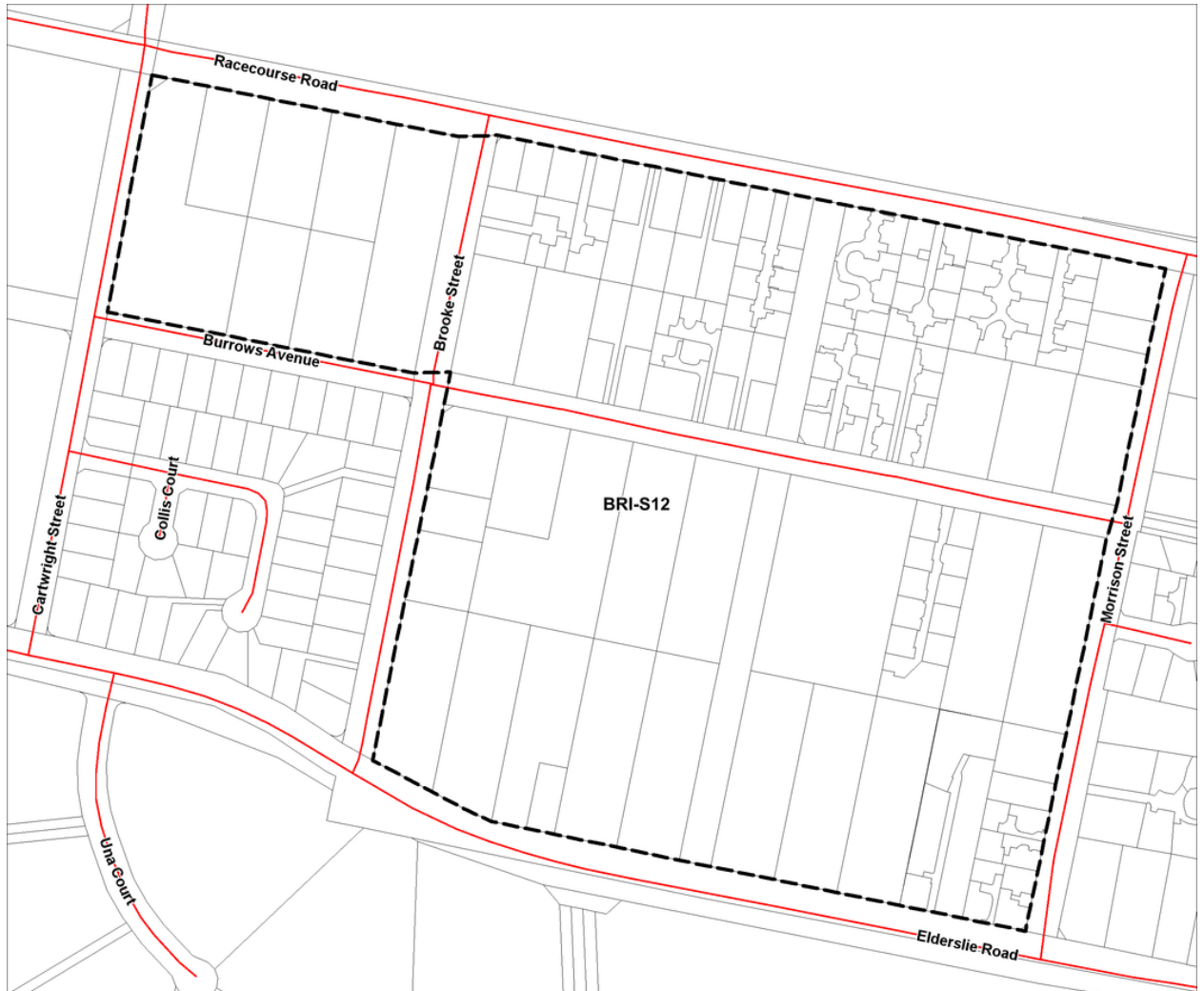


Figure BRI-S12.1 – The Burrows Avenue Specific Area Plan Area

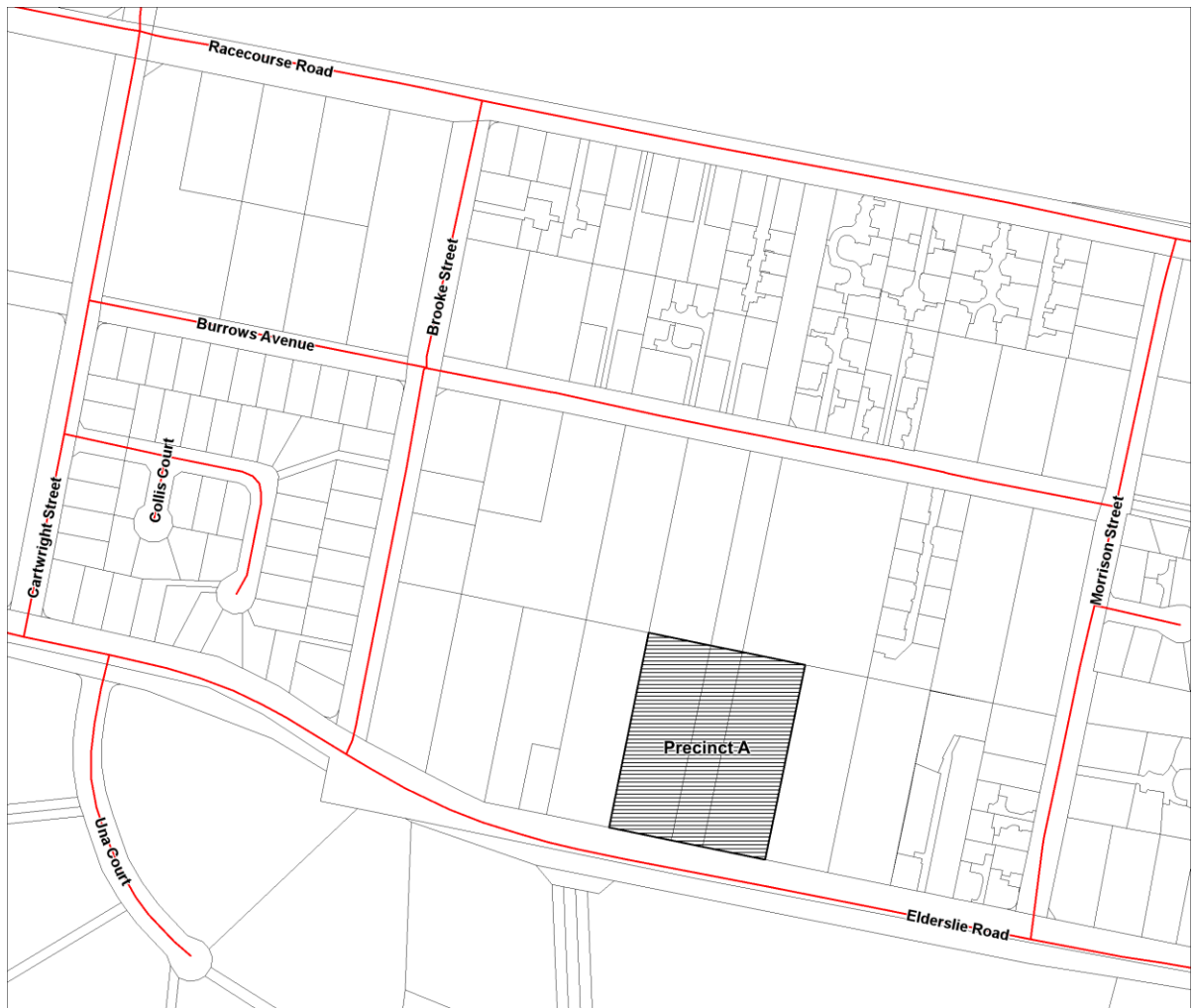


Figure Bri-S12.2 – Precinct A Area



Figure BRI – S12.3 – The Burrows Avenue Specific Area Plan Precinct A Development Framework