

---

**From:** Katie Clifton <katie.clifton@brighton.tas.gov.au>  
**Sent:** Friday, 10 November 2023 4:01 PM  
**To:** TPC Enquiry  
**Cc:** Barlund, Paola  
**Subject:** Draft Amendment RZ-2022-05 - South Brighton (Updated Files)  
**Attachments:** Att A -roads - potential first movers.pdf; Att B - South Brighton stormwater catchments.pdf; Att C - South Brighton - Indicative stormwater network.pdf; Att D - Council Response to Directions table.pdf; Att E BRI-S11.0 South Brighton SAP - CLEAN.docx; Att F BRI-S11.0 South Brighton SAP - TRACK CHANGES.docx; Att G - South Brighton Development Framework REV J.pdf; Att H - BRI-S3.0 Highway Services Precinct SAP\_CLEAN.docx; Att I - BRI-S3.0 Highway Services Precinct SAP\_TRACK CHANGES.docx; Brighton Council - South Brighton Staging and Directions submission - Nov 2023 FINAL.pdf

**Importance:** High

**Categories:**

Good afternoon

Please find attached the following regarding the above amendment:

**These documents replace the previous versions forwarded earlier today by David Allingham.**

- South Brighton staging & directions submission
- Attachment A – Roads – potential first movers
- Attachment B – South Brighton stormwater catchments
- Attachment C – South Brighton – Indicative stormwater network
- Attachment D – Council response to Directions Table
- Attachment E – South Brighton SAP ordinance (clean)
- Attachment F - South Brighton SAP ordinance (track changes)
- Attachment G – South Brighton Development Framework Rev J
- Attachment H – Highway Services Precinct SAP ordinance (clean)
- Attachment I - Highway Services Precinct SAP ordinance ((track changes)

REGARDS,

**KATIE CLIFTON**  
ADMIN OFFICER – DEVELOPMENT SERVICES



**Brighton**  
going places



Click here to  
**20**  
VISIT

1 Tivoli Road, Old Beach TAS 7017  
Tel: (03) 6268 7041  
[www.brighton.tas.gov.au](http://www.brighton.tas.gov.au)

*We acknowledge the traditional owners who once walked this country, the Mumirimina people, the original custodians of the skies, land and water of kutalayna (Jordan River). We forward our respect to the palawa/pakana (Tasmanian Aboriginal) community as the traditional and original owners of lutruwita (Tasmania).*

**CONFIDENTIALITY NOTICE AND DISCLAIMER:**

Information in this transmission is intended only for the person(s) to whom it is addressed and may contain privileged and/or confidential information. If you are not the intended recipient, any disclosure, copying or dissemination of the information is unauthorised and you should delete/destroy all copies and notify the sender. No liability is accepted for any unauthorised use of the information contained in this transmission.

This disclaimer has been automatically added.



10 November 2023

Dan Ford (Chair)  
Tasmanian Planning Commission  
Level 3, 144 Macquarie St  
HOBART TAS 7001

Attention: Paola Barlund

By email: [tpc@planning.tas.gov.au](mailto:tpc@planning.tas.gov.au)

Dear Mr Ford

**Tasmanian Planning Scheme - Brighton  
Draft amendment RZ-2022-05**

I refer to the above draft amendment and to your letter dated 21 August 2023 inviting a submission on staging options for the implementation of the South Brighton Specific Area Plan Development Framework (the "Development Framework") and directions for revising the draft amendments.

**STAGING**

Firstly, thank you for providing a second directions hearing on Monday 23 October for the purpose of further exploring staging options. From this hearing it is understood that the Commission's focus is on the timely and coordinated delivery of critical infrastructure, particularly in Precinct A.

At the second hearing the Commission provided examples of staging plans and/or standards that exist in other Tasmanian Council's Local Provisions Schedule's that Council could possibly draw from to help with its submission. It is critical to note that each of the examples provided related to greenfield development sites where sequential staging was obvious and necessary.

The South Brighton SAP and the consolidation of Rural Living zoned land with multiple landowners with existing built assets is clearly unique. The absence of a statewide, or even regional, infrastructure contributions framework (as seen in most other States) adds to the complexity and challenges in the area.

Given the unique situation and with no clear examples of where this has been done in Tasmania to follow, I urge the Commission to leave the delivery of the Development Framework as open as possible and to let the private market lead the staging rather than the planning scheme dictate terms more than is already proposed.

Council believes that imposing a staging plan is likely to lead to perverse outcomes and constrain future development, rather than facilitate it. We have tended to see in Brighton that when a land gains development potential some owners cash in and sell up and developers often come in and buy key sites to pursue a larger development site. This is the

ideal and likely scenario for this precinct, and if it occurs, the staging plan will be irrelevant or inappropriate for the new structure of ownership. It is worth noting that this could also lead to some modifications due to the changing status of existing dwellings in future development plans.

Council believes that the Development Framework and standards of the draft planning scheme amendment and the possibility of using its own Key Infrastructure Policy will provide the necessary guidance for the implementation to be developer led with ability for Council to step in as needed.

However, Council suggests one modification to the draft planning scheme amendment to address the delivery of stormwater infrastructure. It is Council's position that all other infrastructure is adequately addressed under the draft planning scheme amendment and is consistent with the requirements of the *Land Use Planning and Approvals Act 1993*.

A review of each infrastructure category is provided below as part of Council's submission.

## Electricity

TasNetworks have advised that there are no significant upgrades to their infrastructure for the draft planning scheme amendment to be implemented.

They have also advised that, whilst staging would be helpful to them for reticulation design and substation locations, this is ultimately driven by what developers want.

Council submits that staging for electricity infrastructure is not critical to the implementation of the Development Framework.

## Water

Reticulated water is already provided to each property in Precinct A and mains run down Brighton Rd, Dylan St, Melinda Ct and Hove Way.

No major upgrades of existing water infrastructure are required.

TasWater have not raised any concerns about the extension of water infrastructure and would be able to address the details through future development applications.

Council submits that staging for water infrastructure is not critical to the implementation of the Development Framework.

## Sewer

Major sewer infrastructure upgrades are required to facilitate development of the Development Framework.

Sewer servicing has been an issue in South Brighton since the United Service Station was approved at 40 Brighton Rd in 2018. The development was originally approved with a sewer pump station (SPS) on Lot 2 Melinda Ct, but the permit was amended to an on-site wastewater system as the pump station was cost prohibitive for a single developer.

Since then, consultants have prepared two plans for key sewer infrastructure through the development of the South Brighton SAP (the GHD and Pitt & Sherry designs have already been submitted to the Commission).

Since it was announced that Brighton High School would be located at 33 Elderslie Rd, key stakeholders have met with TasWater on several occasions to discuss the coordination of sewer infrastructure in the area.

In mid-2023, TasWater agreed to fully fund, design and construct key sewer infrastructure. The cost of the proposal is estimated to be cost prohibitive for any single developer.

TasWater agreed to fund the infrastructure on the basis that significant development by Department of Education and Homes Tasmania is already proceeding in South Brighton, with further significant residential development planned by proponents. These developments were proceeding on the basis of installing infrastructure not aligning with the broader strategic direction for sewer servicing for the area.

A key driver for TasWater taking the lead on sewer servicing in the area was because TasWater's investment was low risk with a substantial component of the funding to be returned over a reasonably short time period as development proceeds.

TasWater will recoup its investment through their TasWater Developer Charges policy using the bulk charge methodology to determine the contribution to be paid by each developer as condition of SPAN as development applications in the area are received.

On this basis, there is no need to consider sewer servicing or staging in the SAP.

## Roads

A significant portion of the road network already exists in Precinct A. This differs greatly from other greenfield developments as the existing "trunk" roads provide access for multiple properties that could be "first movers" (See Attachment A).

As Attachment A shows there are only minimal properties that rely on other roads to be developed before they can proceed.

Council has not committed to funding any roads, but has indicated it may step in if necessary and use its compulsory acquisition powers and/or Infrastructure Policy.

Similar to TasWater, Council is more likely to become involved to fund road infrastructure if there is greater certainty and lower risk that Council can return its investment in a reasonably short timeframe (e.g. multiple applications requiring new/upgrade to road). Council's position in regard to funding stages is explored in more detail later.

Council submits that the Development Framework provide ample guidance to developers and outline Council's expectations regarding the road layout to achieve the SAP purpose. The Subdivision Layout standards for Precinct A at BRI-S11.8.3.1 have been deliberately drafted to allow for flexibility within the Development Framework whilst still achieving the SAP purpose.

Council's opinion is that a road staging plan may actually hinder implementation of the Development Framework. Arguably if Council provided a detailed staging plan which relied on more advanced detailed infrastructure design this would limit the flexibility of the SAP and limit developers to providing alternative or more efficient design outcomes. Even if Council worked flexibility into a staging standard, it could possibly result in Council funding a design and then a private developer funding their own design to achieve a different outcome.

Some example scenarios are provided below.

### *Potential scenario A*

Consider that Council prepares the detailed design for road infrastructure to assist and insert a staging plan into the SAP. However, the owners of 7 & 8 Melinda Ct are eager to develop their properties and propose a new link road along their joint boundary off the Melinda Ct cul-de-sac and can limit stormwater to pre-development flows. Arguably, a proposal such as this could be approved under the existing SAP, but would be far more difficult if there were a staging standard. Further the detailed design prepared by Council would no longer be relevant or need to be changed and potentially be a waste of resources.

#### *Potential scenario B*

Without a staging plan, a developer could negotiate the purchase of several adjoining properties, such as 3A, 5, 7 & 9 Dylan St or 2-7 Melinda Ct. The ability to consolidate these properties would likely bring forward the implementation of the Development Framework on these properties.

A developer may also be open to the removal of existing built assets and can provide a more efficient design that still meets the SAP purpose. However, if a staging plan existed it may be more difficult to get approval for amending the design and the staging and Council may have spent unnecessary resources doing detailed design to prepare the staging plan. The staging plan may also limit investors interest if the staging was not optimal for them.

Based on the above, it is submitted that a staging plan for roads is not required and that the Development Framework sufficient guidance for the delivery of road infrastructure.

#### *Potential Scenario C*

At the second hearing, the new central trunk road was discussed as being a critical piece of infrastructure that Council should consider delivering at its own cost as an early stage. Council aren't aware of any of the properties along the new road as being particularly eager to develop. If Council were to fund and build the road as an early stage without any certainty on the timing of development, it could be left carrying a significant debt for several years.

There are also difficult acquisition hurdles that could be resource intensive as well as upsetting for landowners.

Furthermore, there are a number of opportunities where development of the trunk road could be stimulated from private development. For example, through 27 William Street or 10 Melinda Ct. It may also be possible if 3A, 5, 7 & 9 Dylan St develop together or from the south through 15-17 & 13 Dylan St and across Council's land at Lot 2 Melinda Ct.

Similarly, the Commission suggested that the road along the 13 Melinda Ct access strip should be funded by Council as an early stage. Council has not seen any desire from these landowners to develop.

Landowners may also want to first develop "quick wins" on land that has existing frontage to Melinda Ct or Dylan St to help fund future road infrastructure. They may not be able to do this if the amendment dictates the staging.

## Stormwater

The GHD Infrastructure Report submitted with the planning scheme amendment document indicates three stormwater catchments:

- North Dylan (including school & 33 Elderslie) drain through existing drainage line (has easement) which includes dam.
- South Dylan (including 69 Brighton) - drain through existing drainage line.
- Melinda Court drains to the east – no natural path or layout provided.

Council has done some further design work and identified 4 stormwater catchments and provided an indicative stormwater network (See Attachment B & C respectively).

The catchments for north and south Dylan St rely on existing overland flow paths for stormwater drainage and these have been incorporated into the road design. Drainage easements already exist over these flow paths.

Similar to roads, Council have not committed to funding stormwater upgrades, but may consider doing so when there is greater certainty.

Council believes that a detailed staging plan for stormwater may also hinder the implementation of the Development Framework (see Scenario D below), but unlike the road layout, little guidance is provided in the Development Framework for the stormwater layout.

Providing the catchments as a new Figure in the planning scheme and inserting a new subdivision standard as per below would provide greater clarity for developers and the planning authority on how delivery of critical stormwater infrastructure can proceed.

<b>Objective:</b>	
That the subdivision of land provides for a public stormwater system for each catchment in Precinct A	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
No Acceptable Solution	The stormwater system is to be designed in accordance with an approved stormwater management plan for relevant catchment(s) as shown in Figure BRI-S11.4

### *Potential scenario D*

A staging plan may provide for a sequential development starting north to south down Dylan St. If the property owners at 2A and 3-9 Dylan St were in Stage 1 and aren't interested in developing then implementation of the Development Framework cannot proceed. Meanwhile the owners of 4, 4A, 6 & 8 Dylan St in the west are all eager to develop but would not be able to.

If the reason for 3-9 Dylan St being in Stage 1 was because critical stormwater infrastructure was required on this land, the developers who are eager to develop may be able to jointly

fund this infrastructure and negotiate with the owners of 3-9 Dylan St to consent to build the infrastructure as they would ultimately benefit.

Alternatively, the owners of the land that are eager to develop may be able to come up with a stormwater design that includes detention and limits their outflow to pre-development flows and discharge to the existing overland drainage course through 3-9 Dylan St.

### Council “buy-in”

The Commission asked Council to consider whether it should commit to buying into the project to deliver critical infrastructure that would facilitate staging of the Development Framework. This may include further detailed design and/or a commitment to funding/building critical spine infrastructure.

Council has already committed significant funding and resources to the preparation of the South Brighton Master Plan and subsequent planning scheme amendment. Brighton Council, whilst growing rapidly, is still a relatively small Council with its own budget constraints.

Council’s position has been, and continues to be, that it may help fund critical infrastructure it is responsible for (e.g. roads, stormwater, open space, etc.) if the private market fails to deliver.

Council’s position is largely consistent with the approach taken by TasWater who chose to leave infrastructure delivery up to the private sector until it was realised that the infrastructure delivery was going to be inefficient. TasWater’s decision was also largely due to the certainty it had with three key developers/customers having commenced construction or received, or applied for, approvals.

TasWater has been able to pick up a reasonably advanced detailed design from the private sector and work with stakeholders to provide the infrastructure. This is all being done using their Developer Charges Policy.

Council has a similar Key Infrastructure Investments and *Defined Infrastructure Charges Policy* that could help deliver a similar outcome if the timing and budgetary implications are suitable for Council.

Timing and certainty are critical for Council to consider funding or contributing to infrastructure. Brighton Council is not a large organisation and has very limited financial resources. Budgeting for uncertain returns constrains Council’s ability to be financially flexible and could limit its ability to deliver other community projects. Funding for a significant investment is not currently with Council’s 10 Year Plan.

Council note that the delivery of infrastructure is further complicated by the absence of any legislative framework for infrastructure contributions which exists in all other states. All service providers are operating in a policy vacuum with no clear or consistent process on how to calculate infrastructure contributions, how they are funded and how they are recouped. This has been a key barrier to growth and both Council and TasWater are providing their own policies to try and address the gaps.

However, until there is a consistent state or regional framework (as required by STRLUS), planning scheme amendments providing development opportunities that have complex infrastructure delivery challenges that will address the well-publicised housing shortages should not be rejected on this basis.



## DIRECTIONS

Council's response to the Directions are outlined below.

### Direction 1 - South Brighton Specific Area Plan

#### Direction 1.1

*The section 32(4) rationale for a SAP should be clearly linked to the purpose statements included within the Plan Purpose and then continue to link through the standards of the SAP.*

*The planning authority is requested to provide a submission addressing how the drafting of the SAP integrates the section 32(4) rationale and make any recommendations for changes to the Plan Purpose, stated Objectives or standards.*

Council's s32(4) rationale is that the land has unique spatial qualities due to the fragmented land ownership that comes with having a rural living zoned area with the urban growth boundary. The policy settings clearly point to this land being suitable for consolidation.

The fragmented land ownership would make it nearly impossible to provide the high levels of amenity, connectivity and necessary infrastructure which are needed to create a liveable community under the SPP standards. The SAP and its Development Framework is required to provide the necessary guidance to address the unique spatial constraints.

The table below sets out the s.32(4) rationale for each of the SAP Purpose statements.

Clause	SAP Purpose Statement	s.32(4) rationale
BRI-S11.1.1	To implement the South Brighton Development Precinct Plan.	The South Brighton Development Precinct Plan is the Development Framework at Figure BRI-S11.2.  The Development Framework provides the necessary guidance for the multiple landowners (i.e. spatial qualities) to develop the Precinct into a high quality residential community.
BRI-S11.1.2	To maximise and facilitate future development potential.	The s.32(4) rationale is that due to the spatial constraints in the area, if it is zoned to General Residential without a SAP then it will result in ad-hoc and inefficient development with no coordination between landowners.  This purpose statement deals directly with the need for coordinating and facilitating development so that it is efficient.
BRI-S11.1.3	To coordinate the provision of infrastructure and public open space.	As noted in the submission above, Council is of the opinion that the SAP provides the necessary guidance for the coordination of infrastructure. It is highly unlikely that TasWater would be funding critical infrastructure if the Development Framework did not exist.  Given the fragmented land ownership, provision of suitable, well located open space was always going to be problematic without a Development Framework. The Development Framework provides clarity around the location of open space that are well located within the road and trail network.

BRI-S11.1.4	To create a safe and pleasant urban environment, through landscaping, connectivity between roads, the future high school and open spaces.	The fragmentation land ownership and existing built assets is likely to result in highly uncoordinated infrastructure delivery and lack of connectivity.  This purpose statement provides for strong planning principles to overcome the fragmented land.
BRI-S11.1.5	To provide a range of lot sizes with higher density living in close proximity to open space, open space networks, services and public transport.	The Development Framework clearly shows the locations of open space, services and public transport and opportunities for diverse housing choices that would not be clear or easily achievable given the spatial constraints of the area.
BRI-S11.1.6	To provide a road network that:  (a) facilitates connection between lots; (b) encourages connectivity between the east and west side of Brighton Road; and (c) utilises and incorporates existing overland flowpaths.	The fragmented land ownership would make it almost impossible for landowners to coordinate efficient road connectivity across the Precinct without the provision of the Development Framework.
BRI-S11.1.7	To facilitate a transition to a slow traffic environment and pedestrian friendly environment for Brighton Road	A key component of creating a liveable and walkable community is for a slow traffic environment of Brighton Rd. This will largely be done through lots facing Brighton Rd and provision of street trees.  Given there are multiple landowners facing Brighton Rd, the SAP provides for consistency of the streetscape that would not be afforded under the SPPs.

Section 7.2 of Council's s.40F report provides explanatory notes for the South Brighton SAP standards align with the SAP purpose which demonstrates that the s.32(4) rationale is integrated throughout the SAP.

The response to the remaining points raised in Direction 1 are in Attachment D.

A clean copy and track changed copy of the South Brighton SAP are provided at Attachment E & F respectively.

### Direction 2 - The South Brighton Specific Area Plan Development Framework

Figure BRI-S11.2 has been updated with the latest Development Framework and is also provided in Attachment G.

### Direction 3 - Brighton Highway Services Precinct Specific Area Plan

Council has considered the underlying zoning for the land subject to the Brighton Highway Services Precinct Specific Area Plan (the "HSP SAP") and determined that the Light Industrial Zone is a more appropriate zone (see "Direction 4" below) for more detail.

#### *Direction 1.1*

The section 32(4) rationale for a SAP should be clearly linked to the purpose statements included within the Plan Purpose and then continue to link through the standards of the SAP.

The planning authority is requested to provide a submission addressing how the drafting of the SAP integrates the section 32(4) rationale and make any recommendations for changes to the Plan Purpose, stated Objectives or standards.

By way of background, the HSP SAP was created through the introduction of the *Brighton Interim Planning Scheme 2015* and has since been transitioned to the Brighton Local Provisions Schedule.

The site was identified The STRLUS Background Report No: 11 Activity Centre Analysis<sup>1</sup> which identifies the highway services precinct as an economic opportunity to “establish a new commercial area which provides for petrol stations and other highway services, with other uses being restricted to ensure inappropriate commercial uses are not established. The site was selected as it is adjacent to an interchange, it avoids the green buffer, and there is flat land available for development.” (Pg. 7).

The above statement provides the s.32(4) rationale for a unique commercial opportunity that is a point of difference to the Brighton Transport Hub and Brighton town centre.

The Brighton Local Area Plan 2012 further identified the land as suitable for a highway services facility and recommended that the land should be rezoned as a PPZ or SAP.

The table below sets out the s.32(4) rationale for each of the SAP Purpose statements.

Clause	SAP Purpose Statement	s.32(4) rationale
BRI-S3.1.1	To provide for fuel and food services for motorists traveling the Midland Highway.	The unique economic opportunity was created from the Brighton Bypass Project with the intent of providing petrol stations and other highway services that support the Brighton Transport Hub and traffic travelling on the Midland Highway and removing unnecessary traffic from the Brighton township.
BRI-S3.1.2	To provide a location in Brighton for showrooms that primarily sell bulky goods and require large display areas.	This purpose provides a commercial opportunity for bulky goods development that are a complimentary highway services use due to the need to bring a car to collect goods. The bulky goods component is a point of difference to the HSP as it won't detract from local retailing in the Brighton township or conflict with the heavier industrial uses in the Brighton Transport Hub.
BRI-S3.1.3	To provide for use and development that is appropriate for, or requires, a location adjacent the Midland Highway.	This purpose statement provides for other complimentary use and development with a similar rationale to the above.
BRI-S3.1.4	To control potential off-site amenity impacts on surrounding residential properties.	This new purpose statement provides protection from off-site amenity impacts from the economic opportunity. This purpose statement has been introduced to ensure that the purpose statements link through the existing objectives and standards of the SAP.

<sup>1</sup> <https://www.stca.tas.gov.au/wp-content/uploads/2020/02/Final-Report-May-2011-sm.pdf>

The Objectives and standards within the HSP SAP have been written to align with the SAP purpose which demonstrates that the s.32(4) rationale is integrated throughout the SAP.

The response to the remaining points raised in Direction 3 are in Attachment D.

A clean copy and track changed copy of the Highway Services Precinct SAP are provided at Attachment H & I respectively.

## **Direction 4 - The Brighton Highway Services Precinct Specific Area Plan Underlying Rural Zone**

### *Direction 1.0*

Council has considered the suitability of the Rural Zone for the site and determined that it is clearly not consistent with Guideline No.1 LPS as a Rural Zone should be applied to non-urban areas. The land is clearly used for an urban commercial use (i.e service station) and the HSP SAP intends for development of additional commercial uses.

### *Direction 2.0*

*Consider:*

*i. An alternative zone (including a potential Particular Purpose Zone) that may be appropriate in substitution to the Rural Zone that may be more consistent with the STRLUS and the Guidelines.*

*ii. Any modifications to the Brighton Highway Services Precinct Specific Area Plan that may be necessary due to any preferred alternative underlying zone.*

Council submits that the Light Industrial Zone (LIZ) is the most suitable underlying zone for the HSP SAP.

### Guideline No.1 LPS: Zone and Code application

The LIZ is consistent with Guideline No.1 LPS in that it should be applied to land with minimal off-site impacts and satisfies LIZ 1.

The proposed LIZ area is applied to an area intended to be a precinct as opposed to a single isolated use and satisfies LIZ 2.

The area does not accommodate large-scale, high impact industrial use and is not intended to do so and satisfies LIZ 3.

Council submits that Local or General Business zone as these are intended to be applied to land to provide a wide range of functions that primarily serve the main town centres. This area is not intended to provide a wide range of local functions, but rather to provide complementary functions for motorists travelling on the Midland Highway.

A Particular Purpose Zone was also deemed to not be appropriate as the land is not intended to be developed as a major facility or site and a significant amount of the intended planning outcomes could be achieved through the LIZ.

However, as noted above, Council submits that the HSP SAP is still required to create a highway service facility that takes advantage of its highway location and is a point of difference to the Brighton Transport Hub and Brighton town centre.

STRLUS assessment

As required under s.34(2)(e) the proposed amendment must be, as far as practicable, consistent with regional land use strategies. In southern Tasmania, the relevant regional land use strategy is the *Southern Tasmania Regional Land Use Strategy 2010-2035* (STRLUS). The policies that are relevant to the amendment are addressed in the Table below.

Policy	Action
<b>Managing Risks and Hazards</b>	
<p>MRH 1</p> <p>Minimise the risk of loss of life and property from bushfires.</p>	<p><b><u>MRH 1.1</u></b></p> <p>Provide for the management and mitigation of bushfire risk at the earliest possible stage of the land use planning process (rezoning or if no rezoning required; subdivision) by the identification and protection (in perpetuity) of buffer distances or through the design and layout of lots.</p> <p>MRH 1.2</p> <p>Subdivision road layout designs are to provide for safe exit points in areas subject to bushfire hazard.</p> <p>MRH 1.5</p> <p>Allow new development (at either the rezoning or development application stage) in bushfire prone areas only where any necessary vegetation clearance for bushfire risk reduction is in accordance with the policies on biodiversity and native vegetation.</p>
<b><u>Consistent</u></b>	

The bushfire-prone areas code currently applies to the entire SAP area. All future applications will be subject to the Code. However, the land is surrounded by existing development on all sides and the bushfire risk is not considered to be high.

**Physical Infrastructure**

PI 1  
Maximise the efficiency of existing physical infrastructure.

PI 1.1  
Preference growth that utilises under-capacity of existing infrastructure through the regional settlement strategy and Urban Growth Boundary for metropolitan area of Greater Hobart.

**Consistent**

There is no under-capacity infrastructure within the area. However, TasWater have committed to constructing sewer infrastructure to service the area. All other infrastructure is available.

**Industrial Activity**

IA 1 Identify, protect and manage the supply of well-sited industrial land that will meet regional need across the 5, 15 and 30 year horizons.

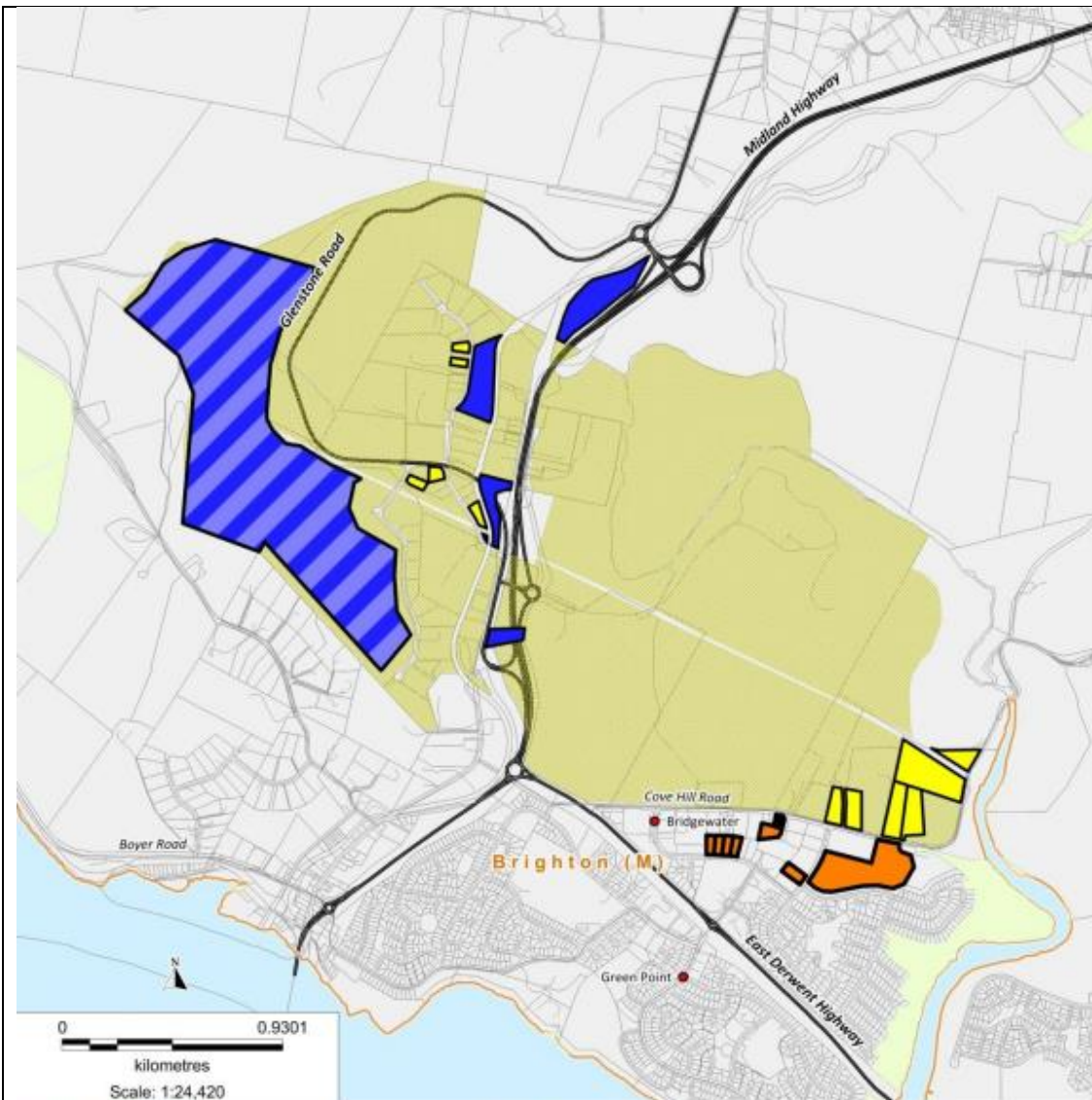
IA 1.1 Industrial land is to be relatively flat and enable easy access to major transport routes, and other physical infrastructure such as water, wastewater, electricity and telecommunications

IA 1.2 Locate new industrial areas away from sensitive land uses such as residentially zoned land.

A 1.3 Provide for a 30-year supply of industrial land, protecting such land from use and development that would preclude its future conversion to industrial land use - in accordance with the recommendations within the Southern Tasmania Industrial Land Strategy 2013.

IA 1.4 Provide a 15-year supply of industrial land, zoned for industrial purposes within the planning scheme - in accordance with the

	<p>recommendations within the Southern Tasmania Industrial Land Strategy 2013.</p> <p>IA 1.5 Aim to provide a minimum 5-year supply of subdivided and fully serviced industrial land.</p>
<p><b><u>Consistent</u></b></p> <p>It is of note that the Southern Tasmania Industrial Land Strategy 2013 is now 10 years old and no detailed work on industrial land supply has been done since.</p> <p>In accordance with the below figure, over half of the regionally significant 0-15 and 0-30 years supply has been developed or is currently being developed. Adding additional industrial land would help meet the STLUS 15 and 30 year supply targets.</p> <p>Noting also that the HSP SAP does provide a point of difference from industrial land and is deigned to compliment the Brighton Transport Hub by providing service stations and associated development so that significant industrial land will not need to be used for this purpose in the Hub.</p>	



Activity Centres



<p>AC 1 Focus employment, retail and commercial uses, community services and opportunities for social interaction in well-planned, vibrant and accessible regional activity centres that are provided with a high level of amenity and with good transport links with residential areas.</p>	<p>AC 1.1 Implement the Activity Centre Network through the delivery of retail, commercial, business, administration, social and community and passenger transport facilities.</p> <p>AC 1.3 Discourage out-of-centre development by only providing for in-centre development within the planning scheme.</p> <p>AC 1.4 Promote a greater emphasis on the role of activity centres, particularly neighbourhood and local activity centres, in revitalising and strengthening the local community.</p> <p>AC 1.6 Encourage an appropriate mix of uses in activity centres to create multi-functional activity in those centres.</p>
--	--

**Consistent**

Arguably, the area subject to the LIZ and HSP SAP could be considered a “Specialist Activity Centre” under the STRLUS definitions - as are Cambridge Park and Derwent Park.

However, the land subject to the existing HSP SAP will be approximately 7.4ha and is significantly smaller than both Cambridge Park and Derwent Park.

It is worth noting that the HSP SAP was approved by the Commission as part of the transition to the Brighton Interim Scheme 2015 and it can be assumed it was not considered to distort the activity centre hierarchy at this point.

The “South Brighton Market Assessment” undertaken for the draft planning scheme amendment estimates that the HSP SAP area will capture approximately 10% of the large format retail market which is not considered significant enough to distort the activity centre hierarchy, particularly with the projected population growth in both areas.

**Modifications to the HSP SAP**

Changing the underlying zone from Rural to Light Industrial results in a number of standards being deleted from the HSP SAP further demonstrating that the LIZ is a more appropriate underlying zone.. A copy of the amended HSP SAP is provided at Attachment H (clean) & I (track changes).

For simplicity, the standards that have been deleted because they are duplicates with the LIZ are listed below:

- BRI-S3.6.1 Hours of Operation
- BRI-S3.6.3 External Lighting
- BRI-S3.6.4 Commercial Vehicle Movements
- BRI-S3.6.5 Outdoor Work Areas
- BRI-S3.7.1 Building Height
- BRI-S3.7.2 Setback A2/P2
- BRI-S3.7.5 Landscaping A1/P1
- BRI-S3.7.6 Outdoor Work Areas
- BRI-S3.8.1 Lot Design A5/P5

The HSP SAP also no longer needs to substitute the provisions of the Signs Code due to the sign types for the LIZ being suitable for the HSP SAP.

Should the Commission support the change in the LIZ zoning, Council can provide an updated zoning map.

## Conclusion

In regards to staging, Council submits that it has satisfied the relevant planning requirements relating to infrastructure delivery design by demonstrating that the subject land can be serviced and that the Development Framework provided the necessary framework to deliver fair and orderly development.

Given the complexity of the proposal, it remains unclear whether a staging plan will help or hinder the implementation of the Development Framework. It is beyond Council's risk appetite and financially irresponsible for Council to invest further in the development of a staging plan and/or to construct infrastructure without having certainty on the timing it can recoup its investment. However, Council may invest in infrastructure when certainty is greater and risk is lower and the draft planning scheme amendment provides the opportunity to do so.

Council has recommended modifying the South Brighton SAP to introduce a stormwater standard and stormwater catchment plan to help coordinate the delivery of infrastructure.

Regarding the Commission's Directions, Council submits that it has addressed all the concerns raised. Both the South Brighton SAP and HSP SAP satisfy the s.32(4) tests and a number of drafting errors have been addressed. Some proposed modifications to the ordinance are likely to require further discussion and clarification at a future hearing.

Council also considers that the Light Industrial Zone is a more appropriate underlying zone for the HSP SAP and has modified the HSP SAP ordinance accordingly. Council believes that this is a more sound planning outcome which aligns with Guideline 1 LPS: zone and code application and STRLUS.

The draft planning scheme amendment provides a unique development opportunity for landowners in one of the fastest growing suburbs in Tasmania and will help to resolve Greater Hobart's well publicised land supply shortages. It also provides clarity for investors interested in the area.

Council would like to thank the Commission on their Directions to date and believe that its assistance has helped to shape the draft planning scheme amendment into a much-improved proposal. Council hopes to continue to have open and constructive dialogue with the Commission to reach an outcome that can be approved.

Yours sincerely



David Allingham  
DIRECTOR DEVELOPMENT SERVICES

#### *Attachments*

*Attachment A – Roads – potential first movers*

*Attachment B – South Brighton stormwater catchments*

*Attachment C – South Brighton – Indicative stormwater network*

*Attachment D – Council response to Directions Table*

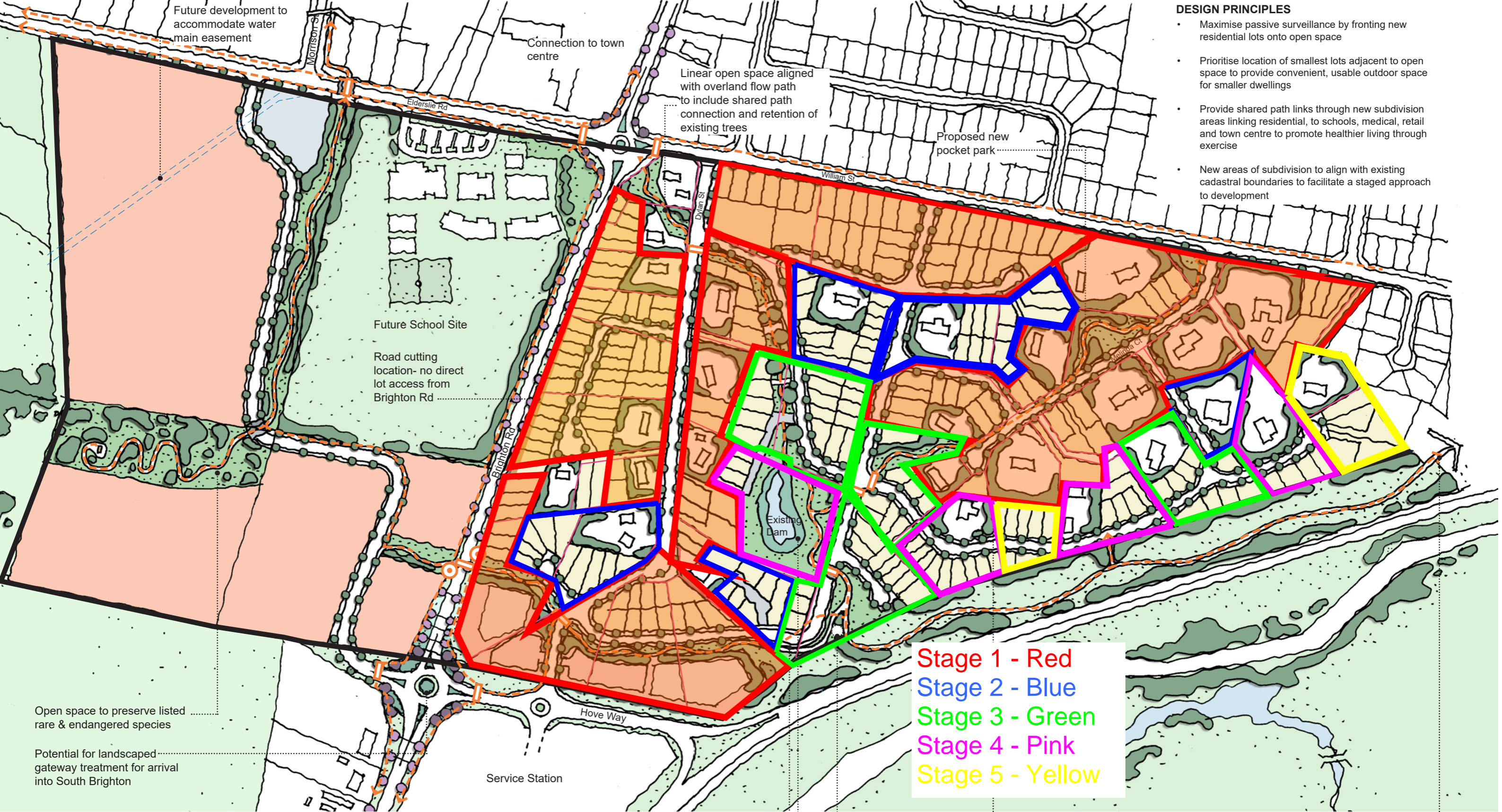
*Attachment E – South Brighton SAP ordinance (clean)*

*Attachment F – South Brighton SAP ordinance (track changes)*

*Attachment G – South Brighton Development Framework Rev J*

*Attachment H – Highway Services Precinct SAP ordinance (clean)*

*Attachment I – Highway Services Precinct SAP ordinance ((track changes)*

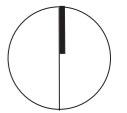


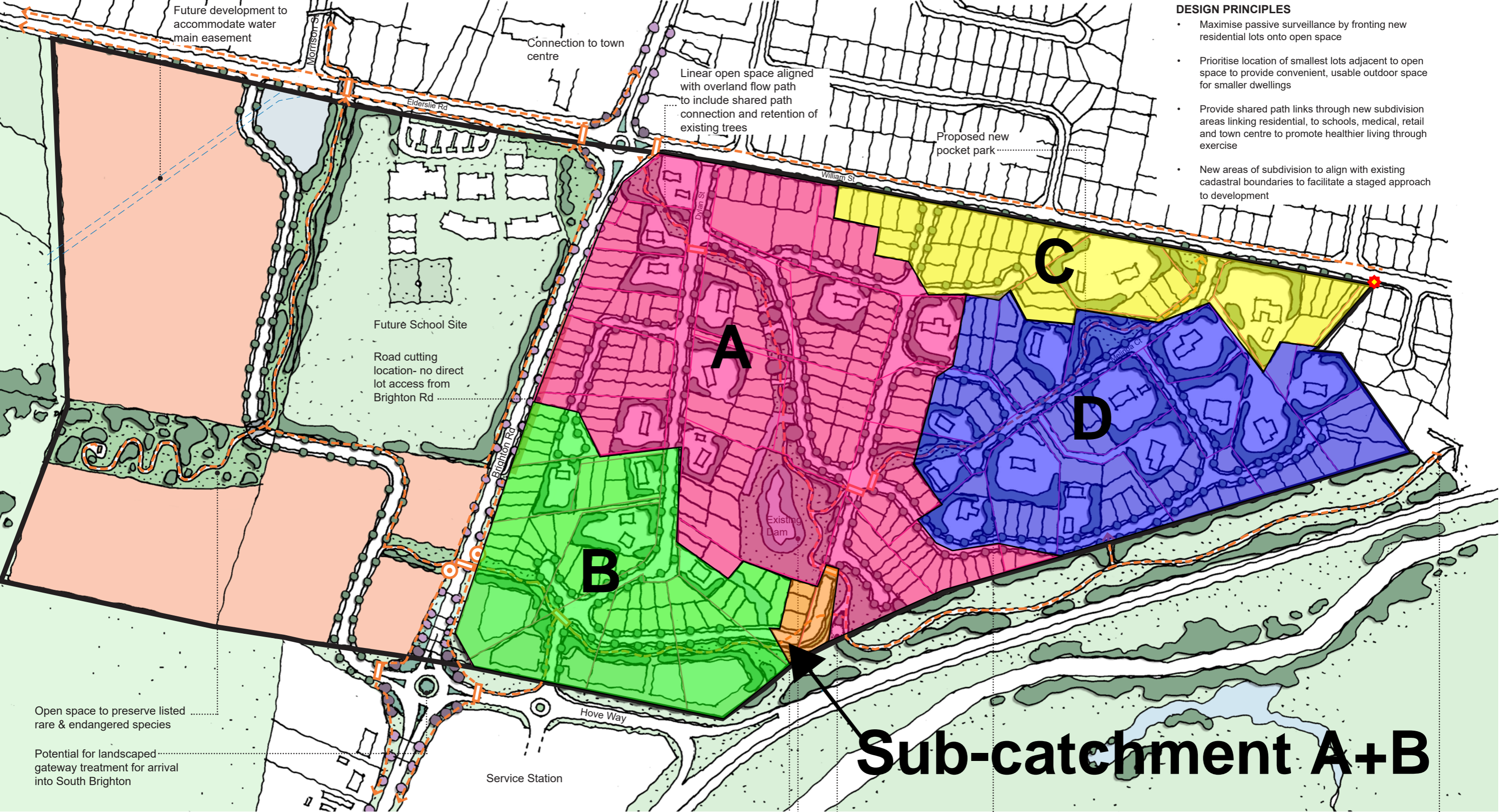
- ### DESIGN PRINCIPLES
- Maximise passive surveillance by fronting new residential lots onto open space
  - Prioritise location of smallest lots adjacent to open space to provide convenient, usable outdoor space for smaller dwellings
  - Provide shared path links through new subdivision areas linking residential, to schools, medical, retail and town centre to promote healthier living through exercise
  - New areas of subdivision to align with existing cadastral boundaries to facilitate a staged approach to development

### DRAWING KEY

- Residential Lots: approx 400 - 650sq.m  
Opportunity for lots adjoining or adjacent open space and shared pathway link to be 300sq.m
- Greenfield Site: No lots shown to allow flexibility for subdivision design. Retain road connection
- Proposed Shared Path Links
- Retail - Potential for large format retail with off street parking and landscape buffer
- Local Business - Potential site with strong pedestrian connections: 3800sq.m
- Potential pedestrian crossing location
- Potential bus stop locations
- Existing Residential Lots
- Proposed Residential Lots
- Proposed Open Space

- Potential location of sewer pumping station- requires 30m buffer to residential and to be located outside flood zone
- Final dam layout and capacity is subject to detailed design and risk assessment
- Final road layout in this area is subject to detailed design and risk assessment
- Existing title boundaries shown in red. Potential to reconfigure titles and infill with new residential
- Connection to Jordan River Trail





- DESIGN PRINCIPLES**
- Maximise passive surveillance by fronting new residential lots onto open space
  - Prioritise location of smallest lots adjacent to open space to provide convenient, usable outdoor space for smaller dwellings
  - Provide shared path links through new subdivision areas linking residential, to schools, medical, retail and town centre to promote healthier living through exercise
  - New areas of subdivision to align with existing cadastral boundaries to facilitate a staged approach to development

# Sub-catchment A+B

**DRAWING KEY**

- Residential Lots: approx 400 - 650sq.m  
Opportunity for lots adjoining or adjacent open space and shared pathway link to be 300sq.m
- Retail - Potential for large format retail with off street parking and landscape buffer
- Local Business - Potential site with strong pedestrian connections: 3800sq.m
- Greenfield Site: No lots shown to allow flexibility for subdivision design. Retain road connection
- Proposed Shared Path Links
- Potential pedestrian crossing location
- Potential bus stop locations
- Existing Residential Lots
- Proposed Residential Lots
- Proposed Open Space

Potential location of sewer pumping station- requires 30m buffer to residential and to be located outside flood zone

Final dam layout and capacity is subject to detailed design and risk assessment

Final road layout in this area is subject to detailed design and risk assessment

Existing title boundaries shown in red. Potential to reconfigure titles and infill with new residential

Connection to Jordan River Trail



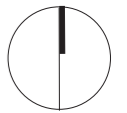


- DESIGN PRINCIPLES**
- Maximise passive surveillance by fronting new residential lots onto open space
  - Prioritise location of smallest lots adjacent to open space to provide convenient, usable outdoor space for smaller dwellings
  - Provide shared path links through new subdivision areas linking residential, to schools, medical, retail and town centre to promote healthier living through exercise
  - New areas of subdivision to align with existing cadastral boundaries to facilitate a staged approach to development

**DRAWING KEY**

- Residential Lots: approx 400 - 650sq.m  
Opportunity for lots adjoining or adjacent open space and shared pathway link to be 300sq.m
- Retail - Potential for large format retail with off street parking and landscape buffer
- Local Business - Potential site with strong pedestrian connections: 3800sq.m
- Greenfield Site: No lots shown to allow flexibility for subdivision design. Retain road connection
- Proposed Shared Path Links
- Potential pedestrian crossing location
- Potential bus stop locations
- Existing Residential Lots
- Proposed Residential Lots
- Proposed Open Space

- Potential location of sewer pumping station- requires 30m buffer to residential and to be located outside flood zone
- Final dam layout and capacity is subject to detailed design and risk assessment
- Final road layout in this area is subject to detailed design and risk assessment
- Existing title boundaries shown in red. Potential to reconfigure titles and infill with new residential
- Overland & road drainage
- Lot connection
- Connection to Jordan River Trail



ATTACHMENT D – Council’s Response to Directions

Direction No.	Direction	Council comment
<b>Direction 1 – South Brighton SAP</b>		
1	Modify BRI-S11.1.7 - Plan Purpose in the following terms:	
1.1	The section 32(4) rationale for a SAP should be clearly linked to the purpose statements included within the Plan Purpose and then continue to link through the standards of the SAP. The planning authority is requested to provide a submission addressing how the drafting of the SAP integrates the section 32(4) rationale and make any recommendations for changes to the Plan Purpose, stated Objectives or standards.	See Council submission.
1.2	Change ‘slower’ to ‘slow’ in clause BRI-S11.1.7	Done
1.3	Delete ‘more’ from clause BRI-S11.1.7.	Done
3.0	Modify BRI-S11.6.2 Access to Brighton Road in the following terms:	
3.1	Subject to 3.2 below, amend the reference ‘BRI-S11.6.2’ to ‘BRI-S11.6.1’	Not required. See below.
3.2	Consider whether the Use Standard ‘BRI-S11.6.2 Access to Brighton Road’ ought to be included in the BRI-S11.7 Development Standards for Buildings and Works. Should change be warranted, make any necessary and subsequent modifications.	The standard is better to be included as a Development Standard as it relates to any use.  The clause has been moved to BRI-B11.7.2 and BRI-S11.6.2 has been deleted and “This sub-clause is not used in this specific area plan” has been Inserted under 11.6 Use Standards.
4.0	Modify BRI-S11.7.1 Building and Works in the following terms:	
4.1	Consider whether allowing secondary residence under A1 has the potential to compromise the intent of the South Brighton Masterplan. If so, modify as necessary to meet the stated Objective.	Allowing a secondary residence under A1 could compromise the Master Plan if it is located in, for example, a future road.  A “secondary residence” has been deleted from A1.

		A secondary residence could still be possible under P1.		
4.2	Consider whether the expression of A1 (c) is clear and quantifiable, and suitable as an Acceptable Solution.	Amended to read:  <i>be on a lot, excluding a balance lot, that has been created from an approved subdivision under this Specific Area Plan.</i>  The amended drafting removes the possible ambiguity as to whether a lot was created “in accordance with the development framework”. The amended drafting is considered to be clear, quantifiable and suitable as an Acceptable Solution and is necessary to ensure that future development applications can be assessed under a No Permit Required pathway.		
4.3	Divide P1 (d) into two separate clauses. ie after ‘and’, ‘any alternative subdivision ...’ becomes (e).	Done.		
5.0	Modify BRI-S11.8.1 Landscaping in the following terms:			
5.1	Create a suitable definition for ‘street tree’ as referred to in clause BRI-S11.8.1 A1.	Definition inserted: <table border="1" data-bbox="1059 762 2029 826"> <tr> <td>Street tree</td> <td>a tree that has the centreline of its trunk on a road reserve and grows to a minimum height of 3 metres.</td> </tr> </table>	Street tree	a tree that has the centreline of its trunk on a road reserve and grows to a minimum height of 3 metres.
Street tree	a tree that has the centreline of its trunk on a road reserve and grows to a minimum height of 3 metres.			
5.2	Consider whether clause BRI-S11.8.1 A2 is clear and quantifiable and whether clause BRI-S11.8.1 requires an Acceptable Solution.	The AS is not clear and quantifiable and not required and has been replaced with “No Acceptable Solution”		
6.0	Modify BRI-S11.8.2 - Infrastructure provision in the following terms:			
6.1	Consider deletion of ‘To ensure that’ from the objective	“to ensure” deleted.		
6.2	Consider whether the provision of ‘necessary upgrades’ of identified infrastructure at A1 are clear. i.e. what is the specific infrastructure that is required to be provided/upgraded in each location/application?	It is unlikely that these can be clarified to the point of being suitable as an Acceptable Solution and the standard has been moved to P1 and A1 has “No Acceptable Solution”.  The specific infrastructure is difficult to clarify as these are often governed by standards outside the planning scheme. For example, the General Residential Zone Roads standards does not list all the civil infrastructure required for a new		



	<p>If these are unclear, or can not be modified to provide clarity, consider an alternative pathway through the Performance Criteria.</p>	<p>road, such as footpaths, kerb &amp; gutter, street lights, etc.) as these are generally regulated through the Tas Municipal Standard Drawings.</p> <p>The use of the examples and “the like” in P1 is to provide some general guidance to applicants about the requirements. Council are open to further suggestions from the TPC about how the wording might be improved.</p> <p>A further wording change is proposed to this standard, as the need for a Part 5 Agreement seems to be unnecessary. Any contribution required is likely to be needed to be paid prior to the Sealing of Titles, and Part 5 Agreements are generally registered when titles are sealed so they would have no work to do. The standard has been amended as follows:</p> <p><i>b) An infrastructure contribution must be paid as specified in any Infrastructure Policy adopted by Council that is relevant to the land.</i></p> <p>Councils infrastructure will specify when the contribution needs to be paid and the schedule of costs. If a Part 5 Agreement were required to be registered on a title, this provision would give the head of power to do so.</p>
6.3	<p>Consider whether the requisite under A1 (b) is clear noting that the provision refers to a Council policy that has yet not be developed and may or may not be adopted by the Council.</p>	<p>Note the amended wording above. This is consistent with the drafting that is common throughout the SPPs and LPSs that include “any XXX plan/policy adopted by Council”.</p> <p>Some examples are provided below:</p> <ul style="list-style-type: none"> <li>- 8.6.2, 9.6.2, 10.6.2, 11.6.2, 12.5.2 P1(a) - any road network plan adopted by the council;</li> <li>- C2.5.5 P1(h) - any relevant parking plan for the area adopted by council;</li> <li>- CLA-P1.7.2 P1(g) - ) the route of new ways accords with any pedestrian and cycle way or public open space plan adopted by the planning authority; and</li> <li>- CLA-S15.8.1 P4 (a) accord with any relevant road network plan adopted by council;</li> </ul>

6.4	Noting that it is an Acceptable Solution (and there is no corresponding Performance Criteria), consider how the requirement for the Part 5 agreement referred to in A1(b) can be satisfied at the time of application.	See above. Reference to Part 5 Agreements has been removed.
6.5	Consider whether A1 should include recognition of infrastructure already in existence.	A definition of "Council infrastructure" has been provided and the following A1 been added :  "Each lot, or a lot proposed in a plan of subdivision, excluding for Utilities, must have existing Council Infrastructure."
7.0	Modify BRI-S11.8.3.1 Subdivision layout - Precinct A in the following terms:	
7.1	Noting that it is an Acceptable Solution, consider the drafting of A1 (a), and whether the clause can be met. Is lot consistency with the figure clear, and can a proposal have any deviation from it? Consider a standard for lot size, shape, frontage and access to regulate residential lots and an additional standard relating to layout, connectivity and allocation of sites for key infrastructure. Consider the need for a provision relating to staging of lots and key infrastructure capability and delivery.	The standard has been amended to no longer substitute lot design 8.6.1 A1 & P1 as these standards are appropriate for the SAP area.  Reference to the Development Framework has been removed from A1 so that it is clear.  As suggested, this standard now just relates to layout and the GRZ does the work regarding lot design.  A further standard has been provided at BRI-S11.8.3.2 – Stormwater – Precinct A and a stormwater catchment plan provided at Figure BRI-S11.4 to provide greater clarity in regards to the provision of stormwater infrastructure. See submission letter for further detail.
8.0	Modify BRI-S11.8.4 Development Standards for Subdivision -Precinct B in the following terms:	
8.1	Consider the drafting of BRI-S11.8.4.1 A1 (a), and whether the clause can be met	Frontage changed to 12m for 350m2 lots.
8.2	Insert 'or' after sub-clause A1 (a) (ii).	Done
8.3	Consider drafting of the clause P1 (e).	Consistent with SPP drafting. No change.
9.0	Modify BRI-S11.8.4.2 Movement network connections - Precinct B in the following terms:	
9.1	Include a definition for 'Active Edge' or alternatively consider modification to the standard to provide clarity.	Amended to remove "active edge" and replace with the following:

		(a) provide opportunities for passive surveillance and permeability along the boundary of 1 Elderslie Road.
<b>Direction 2 - The South Brighton Specific Area Plan Development Framework</b>		
1.0	Provide the latest revision of South Brighton Specific Area Plan Development Framework.	Figure BRI-S11.2 has been updated with the latest Development Framework
<b>Direction 3 - Brighton Highway Services Precinct Specific Area Plan</b>		
1.0	Modify BRI-S3.1 Plan Purpose in the following terms:	
1.1	The section 32(4) rationale for a SAP should be clearly linked to the purpose statements included within the Plan Purpose and then continue to link through the standards of the SAP. The planning authority is requested to provide a submission addressing how the drafting of the SAP integrates the section 32(4) rationale and making any recommendations for changes to the Plan Purpose or standards	See submission letter.
3.0	Modify BRI-S3.4 Definition of Terms in the following terms:	
3.1	Consider the need, or otherwise, for the inclusion of a definition for 'Department Store' to provide clarity as to whether the term includes a 'discount department store' and whether this use is intended to be a permissible use	<p>Department store is listed as an example of "General Retail and Hire" in Table 6.2 of the SPPs. Many of the individual uses listed within a use class are ambiguous and trying to define them all would be an arduous task.</p> <p>A quick search of "department store" provides a range of very similar definitions such as "A departmental store is a big retail store that sells goods of many varieties belonging to different departments."  <a href="https://www.shiprocket.in/blog/hypermarket-supermarket-departmental-store-difference">https://www.shiprocket.in/blog/hypermarket-supermarket-departmental-store-difference</a></p> <p>Whether or not a 'discount department store' would be a 'department store' would largely depend on its offerings and could be determined at the time of an application.</p>

		Council submits that there is no need to provide any definitions and that no change is required.
4.0	Modify BRI-S3.5 Use Table in the following terms:	
4.1	Consider including 'Emergency Services' in the clause BRI-S3.5 Use Table.	"Emergency Services" has been included as Permitted use and is appropriate given the convenient access to the Midland Highway.
4.2	Consider whether 'Bulky Goods Sales' should be a discretionary use.	Having Bulky Goods Sales as a Permitted Use furthers the HSP SAP Purpose BRI-S3.1.2. Bulky Goods are seen as an appropriate use for a highway services facility given the need to bring a car to collect items.  No change proposed.
5.0	Modify BRI-S3.6.4 - Commercial Vehicle Movements in the following terms:	
5.1	Change 'load' to 'loading' in P1	This clause has been deleted.
6.0	Modify BRI-S3.7.2 - Setback in the following terms:	
6.1	Change the setback requirement under A1 (c) from 110m to 10m.	Done.
6.2	Consider the drafting of the clause A1 (c), and the references to a residential zone. Note: a road must be zoned residential for the clause to be effective.	Included "...,or adjoining,...".  The amendment means that there is no need for the road servicing the residential zone to be zoned residential.
7.0	Modify BRI-S3.7.3 Design in the following terms:	
7.1	Consider the drafting of clauses A1 and P1, and effective screening solutions to achieve the objective of the clause.	The drafting is consistent with other design clauses in the SPPs.  No change proposed.
7.2	Consider the drafting of the clauses A2 (a) and P2 (a), which both require walls of a building to be coloured in muted tones.	A1(a) has been amended so that is clear and quantifiable: "be coloured using colours with a light reflectance value not more than 40%"
8.0	Modify BRI-S3.7.5 Landscaping in the following terms:	
8.1	The objective for the clause BRI-S3.7.5 Landscaping does relate to the purpose of the Specific Area Plan. Include a statement in the BRI-S3.1 Plan Purpose which relates to the objective of the clause BRI-S3.7.5 Landscaping .	S3.7.5 A1 & P1 have been deleted and SAP Purpose inserted as follows: "To control potential off-site amenity impacts on surrounding residential properties."
9.0	Modify BRI-S3.7.6 Outdoor Storage Areas in the following terms:	

9.1	Consider the requirements under clause A1 (a), and the potential orientation of buildings in relation to the residential areas.	Deleted.
<b>Direction 4 - The Brighton Highway Services Precinct Specific Area Plan Underlying Rural Zone</b>		
1.0	<p>Provide a submission outlining how the application of the Rural Zone (underlying the Brighton Highway Services Precinct Specific Area Plan) is:</p> <ul style="list-style-type: none"> <li>i. Consistent with the Southern Tasmanian Regional Land Use Strategy (STRLUS) and specifically its application in this location within the Urban Growth Boundary; and</li> <li>ii. . Consistent with Guideline No.1 Local Provision Schedule (LPS): zone and code application (the Guidelines).</li> </ul>	An alternative zone is preferred. See submission letter.
2.0	<p>Consider:</p> <ul style="list-style-type: none"> <li>i. An alternative zone (including a potential Particular Purpose Zone) that may be appropriate in substitution to the Rural Zone that may be more consistent with the STRLUS and the Guidelines.</li> <li>ii. Any modifications to the Brighton Highway Services Precinct Specific Area Plan that may be necessary due to any preferred alternative underlying zone.</li> </ul>	See submission letter

## Appendix A – BRI-S11 South Brighton Specific Area Plan

### BRI -S11.0 South Brighton Specific Area Plan

#### BRI-S11.1 Plan Purpose

The purpose of the South Brighton Specific Area Plan is:

BRI-S11.1.1	To implement the South Brighton Development Precinct Plan.
BRI-S11.1.2	To maximise and facilitate future development potential.
BRI-S11.1.3	To coordinate the provision of infrastructure and public open space.
BRI-S11.1.4	To create a safe and pleasant urban environment, through landscaping, connectivity between roads, the future high school and open spaces.
BRI-S11.1.5	To provide a range of lot sizes with higher density living in close proximity to open space, open space networks, services and public transport.
BRI-S11.1.6	To provide a road network that: (a) facilitates connection between lots; (b) encourages connectivity between the east and west side of Brighton Road; and (c) utilises and incorporates existing overland flowpaths.
BRI-S11.1.7	To facilitate a transition to a slow traffic environment and pedestrian friendly environment for Brighton Road

#### BRI-S11.2 Application of this Plan

BRI-S11.2.1	The specific area plan applies to the area of land designated as the South Brighton Specific Area Plan on the overlay maps and shown in Figure BRI-S11.1.
BRI-S11.2.2	In the area of land, that this plan applies to, the provisions of the specific area plan are in substitution for, and are in addition to the provisions of:  (a) 8.0 General Residential Zone; (b) 23.0 Environmental Management Zone (c) C3.0 Road and Railway Assets Code  as specified in the relevant provision.

#### BRI-S11.3 Local Area Objectives

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

#### BRI-S11.4 Definition of Terms

BRI-S11.4.1 In this Specific Area Plan, unless the contrary intention appears:

Term	Definition
Precinct A	means the area of land shown in Figure BRI-S11.3 as Precinct A.

Precinct B	means the area of land shown in Figure BRI-S11.3 as Precinct B.
Street tree	Means a tree that has the centreline of its trunk on a road reserve and grows to a minimum height of 3 metres.
Council infrastructure	means infrastructure managed by Council such as stormwater network, footpaths, road, streetlighting, landscaping, and the like.

### BRI-S11.5 Use Table

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

### BRI-S11.6 Use Standards

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

### BRI-S11.7 Development Standards for Buildings and Works

#### BRI-S11.7.1 Building and Works

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

<b>Objective:</b>	
That buildings and works do not prejudice the efficient future utilisation of land for urban development.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
Buildings and works must: <ul style="list-style-type: none"> <li>(a) be for an addition to an existing dwelling, or a home-based business;</li> <li>(b) be of a temporary nature able to be readily removed prior to the development of the land for urban purposes; or</li> <li>(c) be on a lot, excluding a balance lot, that has been created from an approved subdivision under this Specific Area Plan.</li> </ul>	Buildings and works must not preclude or hinder the effective and efficient implementation of the development framework in Figure BRI-S11.2, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) any existing access arrangements;</li> <li>(c) location of any services;</li> <li>(d) the purpose, location and extent of any building and works; and</li> <li>(e) any alternative subdivision layout that achieves the Specific Area Plan Purpose.</li> </ul>

#### BRI-S11.7.2 Access to Brighton Road

This clause is in **addition** to Road and Railway Assets Code – clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

<b>Objective:</b>	
To provide safe access to Brighton Road.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>

<p><b>A1</b></p> <p>Access ways to Brighton Road must provide for vehicles to enter and exit the site in a forward direction.</p>	<p><b>P1</b></p> <p>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a vehicle crossing having regard to:</p> <ul style="list-style-type: none"> <li>(a) any increase in traffic caused by the use;</li> <li>(b) the nature of the traffic generated by the use;</li> <li>(c) the nature of the road;</li> <li>(d) the speed limit and traffic flow of the road;</li> <li>(e) any alternative access to a road;</li> <li>(f) the need for the use;</li> <li>(g) any traffic impact assessment; and</li> <li>(h) any advice received from the rail or road authority.</li> </ul>
---	--

**BRI-S11.8 Development Standards for Subdivision**

**BRI-S11.8.1 Landscaping**

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

<b>Objective:</b>	
To encourage safe and attractive landscaped roads and open space.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A minimum of one street tree must be provided along the frontage of a new lot, except for lots that are internal lots.</p>	<p><b>P1</b></p> <p>Street trees must be provided along the frontage of new lots, having regard to:</p> <ul style="list-style-type: none"> <li>a) the width of lot frontages;</li> <li>b) location of infrastructure;</li> <li>c) the topography of the site;</li> <li>d) the safety and efficiency of the road network;</li> <li>e) the nature of the road; and</li> <li>f) existing vegetation that can be retained.</li> </ul>
<p><b>A2</b></p> <p>No Acceptable Solution</p>	<p><b>P2</b></p> <p>If subdivision includes the creation of new open space and/or shared path links in accordance with</p>



	<p>the development framework in Figure BRI-S11.2, landscaping must be provided having regard to:</p> <ul style="list-style-type: none"> <li>a) enhancement of the open space or shared path link area</li> <li>b) provides a range of plant heights and forms to create diversity, interest and amenity;</li> <li>c) prevents the creation of concealed entrapment spaces;</li> <li>d) removal of existing invasive weed species; and</li> <li>e) any advice from a suitably qualified person.</li> </ul>
--	---

### BRI-S11.8.2 Infrastructure provision

This clause is in **addition** to General Residential Zone - clause 8.6 Development Standards for Subdivision

<b>Objective:</b>	
That:	
<ul style="list-style-type: none"> <li>a) Subdivision design provides for Council infrastructure that will enable further land development in accordance with the Development Framework and purpose of the Specific Area Plan; and</li> <li>b) Developer contributions are made towards the cost and provision of infrastructure in accordance with the relevant Policy adopted by the Council.</li> </ul>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
Each lot, or a lot proposed in a plan of subdivision, excluding for Utilities, must have existing Council Infrastructure.	<p>The provision, and upgrades of Council infrastructure, must:</p> <ul style="list-style-type: none"> <li>a) Be provided entirely at the developer's expense; or</li> <li>b) An infrastructure contribution must be paid as specified in any Infrastructure Policy adopted by Council that is relevant to the land.</li> </ul>

### BRI-S11.8.3 Development Standards for Subdivision - Precinct A

#### BRI-S11.8.3.1 Subdivision layout – Precinct A

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

<b>Objective:</b>	
The subdivision layout is consistent with the purpose of the Specific Area Plan and the development framework.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>

<p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> <li>(a) Be required for public use by the Crown, a council or a State authority;</li> <li>(b) be required for the provision of Utilities; or</li> <li>(c) be for the consolidation of a lot with another lot provided each lot is within the same zone.</li> </ul>	<p>The layout of lots, roads, public open space and pedestrian connections must be compatible with the purpose of the Specific Area Plan and the development framework in Figure BRI-S11.2 having regard to:</p> <ul style="list-style-type: none"> <li>a) the facilitation of high levels of vehicular and pedestrian connectivity in the subdivision and to open spaces and adjacent areas;</li> <li>b) the integration of landscaping into the road, pedestrian and open space network;</li> <li>c) avoid compromising the appropriate and reasonable future subdivision of the entirety of any balance lot or adjoining lot;</li> <li>d) any natural hazards or other site conditions that constrain future development;</li> <li>e) the topography of the site;</li> <li>f) facilitating higher lot densities around existing dwellings and adjoining public open space;</li> <li>g) the provision of the necessary road and service infrastructure;</li> <li>h) any relevant Codes; and</li> <li>i) any advice received from the road authority.</li> </ul>
--	---

**BRI-S11.8.3.2 Stormwater – Precinct A**

This clause is in **addition** to General Residential Zone - clause 8.6.3 Services

<b>Objective:</b>	
That the subdivision of land provides for a public stormwater system for each catchment in Precinct A	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>No Acceptable Solution</p>	<p><b>P1</b></p> <p>The stormwater system is to be designed in accordance with an approved stormwater management plan for relevant catchment(s) as shown in Figure BRI-S11.4</p>

**BRI-S11.8.4 Development Standards for Subdivision - Precinct B**

**BRI-S11.8.4.1 Lot size - Precinct B**

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

<b>Objective:</b>	
To provide for new lots that have higher densities close to services, facilities and public transport corridors.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than the lot sizes specified in Table BRI-S11.9.1 and:</p> <p style="padding-left: 40px;">(i) be able to contain a minimum building area as specified in Table BRI-S11.9.1 with a gradient not steeper than 1 in 5, clear of:</p> <p style="padding-left: 80px;">a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p style="padding-left: 80px;">b. easements or other title restrictions that limit or restrict development; and</p> <p style="padding-left: 40px;">(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</p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	<p><b>P1</b></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 relevant requirements for development of buildings on the lots;</p> <p>(b) the intended location of buildings on the lots;</p> <p>(c) the topography of the site;</p> <p>(d) the presence of any natural hazards;</p> <p>(e) adequate provision of private open space; and</p> <p>(f) the pattern of development existing on established properties in the area.</p>
<p><b>A2</b></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 a frontage not less than specified in Table BRI-S11.9.1</p>	<p><b>P2</b></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 provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p> <p>(a) the width of frontage proposed, if any;</p> <p>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</p>

	<p>(c) the topography of the site;</p> <p>(d) the functionality and useability of the frontage;</p> <p>(e) the ability to manoeuvre vehicles on the site; and</p> <p>(f) the pattern of development existing on established properties in the area,</p> <p>and is not less than 3.6m wide.</p>
--	--

#### **BRI-S11.8.4.2 Movement network connections - Precinct B**

This clause is in **addition** to General Residential Zone - clause 8.6.2 Roads and Environmental Management Zone – clause 23.5.1 Lot design

<b>Objective:</b>	
The road layout, open space and pedestrian connections in Precinct B are consistent with the purpose of the Specific Area Plan and the development framework.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
The subdivision layout for Precinct B must include the road layout, open space and pedestrian connections so that it is consistent with the development framework in Figure BRI-S11.2.	<p>The arrangement and construction of roads, open space and pedestrian connections within Precinct B must include:</p> <p>(a) connections to the existing roads abutting the Precinct along the northern and eastern boundary;</p> <p>(b) provide opportunities for passive surveillance and permeability along the boundary of 1 Elderslie Road.</p> <p>(c) provide linkages through 33 Elderslie Rd and 69 Brighton Road; and</p> <p>(d) provide for new lots with frontage to Brighton Rd.</p>

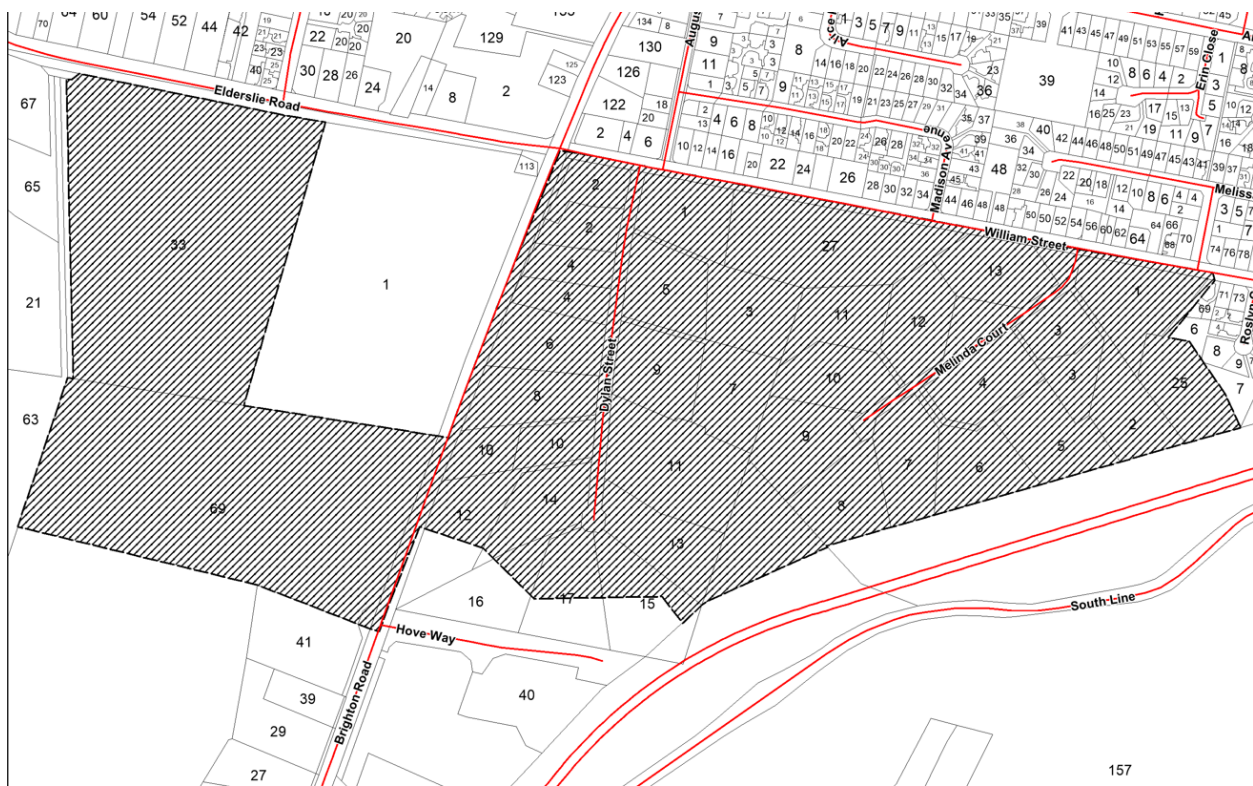
#### **BRI-S11.9 Tables**

##### **BRI-S11.9.1**

	Minimum Lot Size*	Minimum frontage	Minimum building area
Ordinary lot (i.e. not otherwise specified below)	450m <sup>2</sup>	12m	10m x 15m
Lots adjoining or opposite public open space, or Lots within 400m of a public transport corridor, or Lots within 200m walking distance of a business zone, local shop or school.	350m <sup>2</sup>	12m	9m x 12m

\*Not including any fee simple access strip

**Figure BRI-S11.1 The South Brighton Specific Area Plan Area**



**Figure BRI-S11.2 The South Brighton Specific Area Plan Development Framework**

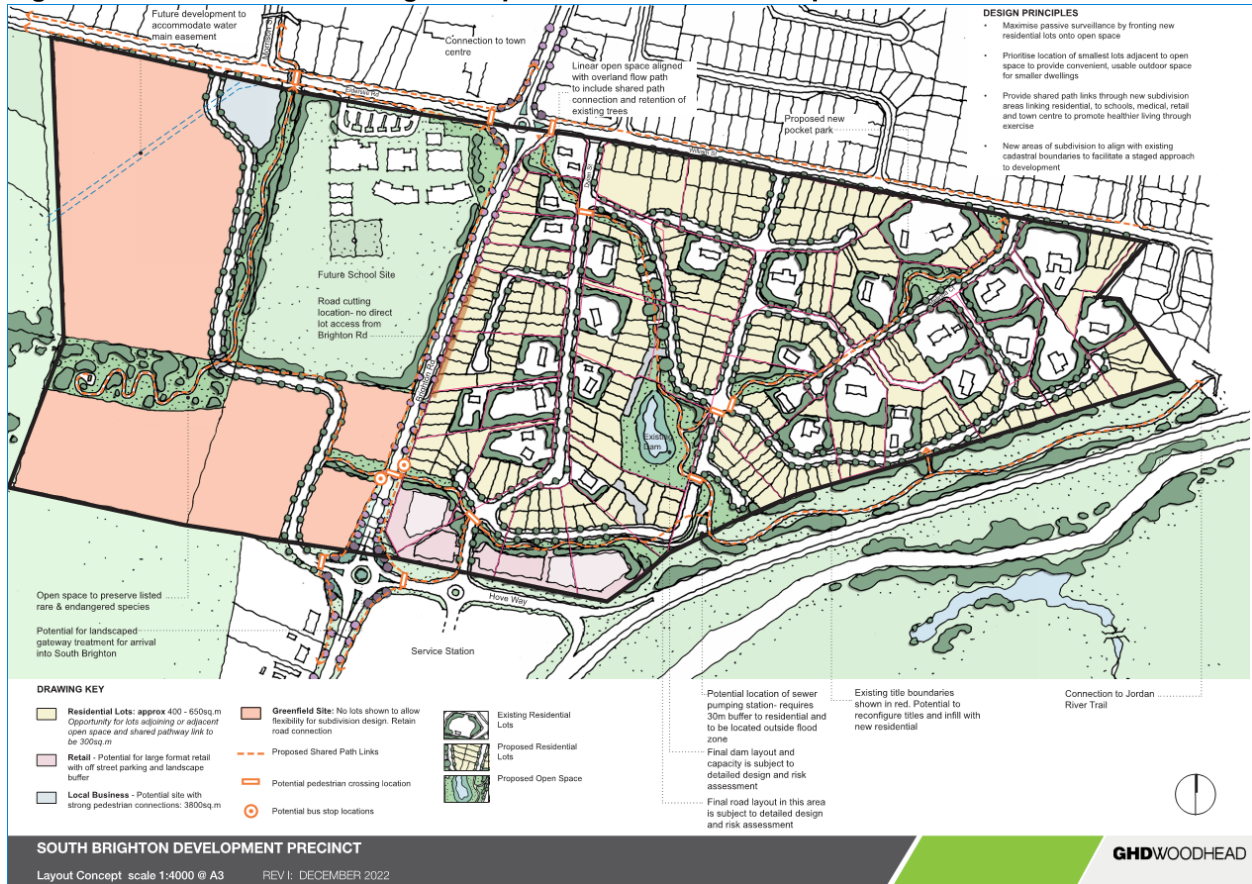
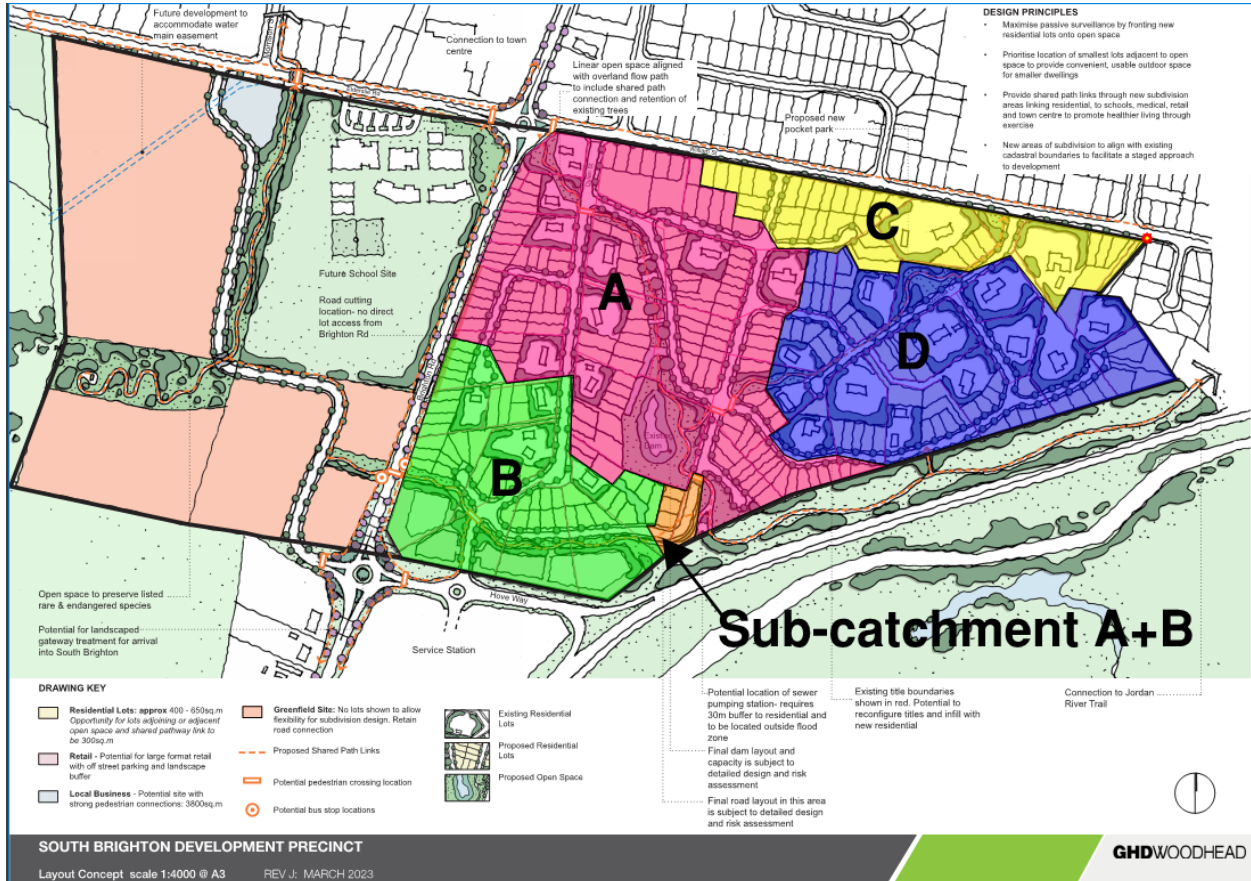


Figure BRI-S11.3 Precincts



**Figure BRI-S11.4 Stormwater catchments**





## Appendix A – BRI-S11 South Brighton Specific Area Plan

### BRI -S11.0 South Brighton Specific Area Plan

#### BRI-S11.1 Plan Purpose

The purpose of the South Brighton Specific Area Plan is:

BRI-S11.1.1	To implement the South Brighton Development Precinct Plan.
BRI-S11.1.2	To maximise and facilitate future development potential.
BRI-S11.1.3	To coordinate the provision of infrastructure and public open space.
BRI-S11.1.4	To create a safe and pleasant urban environment, through landscaping, connectivity between roads, the future high school and open spaces.
BRI-S11.1.5	To provide a range of lot sizes with higher density living in close proximity to open space, open space networks, services and public transport.
BRI-S11.1.6	To provide a road network that: (a) facilitates connection between lots; (b) encourages connectivity between the east and west side of Brighton Road; and (c) utilises and incorporates existing overland flowpaths.
BRI-S11.1.7	To facilitate a transition to a slower traffic environment and <del>more</del> pedestrian friendly environment for Brighton Road

#### BRI-S11.2 Application of this Plan

BRI-S11.2.1	The specific area plan applies to the area of land designated as the South Brighton Specific Area Plan on the overlay maps and shown in Figure BRI-S11.1.
BRI-S11.2.2	In the area of land, that this plan applies to, the provisions of the specific area plan are in substitution for, and are in addition to the provisions of:  (a) 8.0 General Residential Zone; (b) 23.0 Environmental Management Zone (c) C3.0 Road and Railway Assets Code  as specified in the relevant provision.

#### BRI-S11.3 Local Area Objectives

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

#### BRI-S11.4 Definition of Terms

BRI-S11.4.1 In this Specific Area Plan, unless the contrary intention appears:

Term	Definition
Precinct A	means the area of land shown in Figure BRI-S11.3 as Precinct A.

Precinct B	means the area of land shown in Figure BRI-S11.3 as Precinct B.
<u>Street tree</u>	<u>Means a tree that has the centreline of its trunk on a road reserve and grows to a minimum height of 3 metres.</u>
<u>Council infrastructure</u>	<u>means infrastructure managed by Council such as stormwater network, footpaths, road, streetlighting, landscaping, and the like.</u>

### BRI-S11.5 Use Table

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

### BRI-S11.6 Use Standards

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

#### ~~BRI-S11.6.2 Access to Brighton Road~~

~~This clause is in addition to Road and Railway Assets Code clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction~~

<del><b>Objective:</b></del>	
<del>To provide safe access to Brighton Road.</del>	
<del><b>Acceptable Solutions</b></del>	<del><b>Performance Criteria</b></del>
<del><b>A1</b></del>	<del><b>P1</b></del>
<del>Access ways to Brighton Road must provide for vehicles to enter and exit the site in a forward direction.</del>	<del>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a vehicle crossing having regard to:</del>
	<del>(a) any increase in traffic caused by the use;</del>
	<del>(b) the nature of the traffic generated by the use;</del>
	<del>(c) the nature of the road;</del>
	<del>(d) the speed limit and traffic flow of the road;</del>
	<del>(e) any alternative access to a road;</del>
	<del>(f) the need for the use;</del>
	<del>(g) any traffic impact assessment; and</del>
	<del>(h) any advice received from the rail or road authority.</del>

### BRI-S11.7 Development Standards for Buildings and Works

#### BRI-S11.7.1 Building and Works

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

<b>Objective:</b>	
That buildings and works do not prejudice the efficient future utilisation of land for urban development.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
Buildings and works must: <ul style="list-style-type: none"> <li>(a) be for an addition to an existing dwelling, <del>a secondary residence</del> or a home-based business;</li> <li>(b) be of a temporary nature able to be readily removed prior to the development of the land for urban purposes; or</li> <li>(c) be on a lot <u>excluding a balance lot</u>, that has been created <u>in accordance with the development framework in Figure BRI-S11.2 from an approved subdivision under this Specific Area Plan.</u></li> </ul>	Buildings and works must not preclude or hinder the effective and efficient implementation of the development framework in Figure BRI-S11.2, having regard to: <ul style="list-style-type: none"> <li>(a) the topography of the site;</li> <li>(b) any existing access arrangements;</li> <li>(c) location of any services;</li> <li><del>(d)</del> <u>(d)</u> the purpose, location and extent of any building and works; and</li> <li><del>(e)</del> <u>(e)</u> any alternative subdivision layout that achieves the Specific Area Plan Purpose.</li> </ul>

### **BRI-S11.7.2 Access to Brighton Road**

This clause is in **addition** to Road and Railway Assets Code – clause C3.5.1 Traffic generation at a vehicle crossing, level crossing or new junction

<b>Objective:</b>	
<u>To provide safe access to Brighton Road.</u>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b><u>A1</u></b>	<b><u>P1</u></b>
<u>Access ways to Brighton Road must provide for vehicles to enter and exit the site in a forward direction.</u>	<u>Vehicular traffic to and from the site must minimise any adverse effects on the safety of a vehicle crossing having regard to:</u> <ul style="list-style-type: none"> <li><u>(a) any increase in traffic caused by the use;</u></li> <li><u>(b) the nature of the traffic generated by the use;</u></li> <li><u>(c) the nature of the road;</u></li> <li><u>(d) the speed limit and traffic flow of the road;</u></li> <li><u>(e) any alternative access to a road;</u></li> <li><u>(f) the need for the use;</u></li> </ul>

	<p><u>(g) any traffic impact assessment; and</u></p> <p><u>(h) any advice received from the rail or road authority.</u></p>
--	---

## BRI-S11.8 Development Standards for Subdivision

### BRI-S11.8.1 Landscaping

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

<b>Objective:</b>	
To encourage safe and attractive landscaped roads and open space.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b> A minimum of one street tree must be provided <del>along the frontage of a new lot</del>, except for lots that are internal lots.</p>	<p><b>P1</b> Street trees must be provided along the frontage of new lots, having regard to:</p> <ul style="list-style-type: none"> <li>a) the width of lot frontages;</li> <li>b) location of infrastructure;</li> <li>c) the topography of the site;</li> <li>d) the safety and efficiency of the road network;</li> <li>e) the nature of the road; and</li> <li>f) existing vegetation that can be retained.</li> </ul>
<p><del>A2</del> <del>A2</del> <del>Public open space or shared path links are not required on the land in accordance with the development framework in Figure BRI-S11.2</del> <u>No Acceptable Solution</u></p>	<p><b>P2</b> If subdivision includes the creation of new open space and/or shared path links in accordance with the development framework in Figure BRI-S11.2, landscaping must be provided having regard to:</p> <ul style="list-style-type: none"> <li>a) enhancement of the open space or shared path link area</li> <li>b) provides a range of plant heights and forms to create diversity, interest and amenity;</li> <li>c) prevents the creation of concealed entrapment spaces;</li> <li>d) removal of existing invasive weed species; and</li> <li>e) any advice from a suitably qualified person.</li> </ul>

### BRI-S11.8.2 Infrastructure provision

This clause is in **addition** to General Residential Zone - clause 8.6 Development Standards for Subdivision

<b>Objective:</b>	
<del>To ensure that:</del>	
<p>a) Subdivision design provides for <del>land, services and easements</del><u>Council infrastructure</u> that will enable further land development in accordance with the Development Framework and purpose of the Specific Area Plan; and</p> <p>b) Developer contributions are made towards the cost and provision of infrastructure in accordance with the relevant Policy adopted by the Council.</p>	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
<p><del>The provision and necessary upgrades of infrastructure, including stormwater, footpath, road, streetlighting, landscaping, and the like, must be:</del></p> <p><del>a) — Provided entirely at the developer's expense; or</del></p> <p><del>b) — If Council has adopted an Infrastructure Policy for this area, an agreement under Part 5— Section 71 of the Act is entered into and registered on the title, providing for the schedule of costs and developer contributions toward infrastructure. <u>Each lot, or a lot proposed in a plan of subdivision, excluding for Utilities, must have existing Council Infrastructure.</u></del></p>	<p><u>The provision, and upgrades of Council infrastructure, must:</u></p> <p><u>a) Be provided entirely at the developer's expense; or</u></p> <p><u>b) An infrastructure contribution must be paid as specified in any Infrastructure Policy adopted by Council that is relevant to the land.</u></p> <p><del>No Performance Criterion.</del></p>

### BRI-S11.8.3 Development Standards for Subdivision - Precinct A

#### BRI-S11.8.3.1 Subdivision layout – Precinct A

This clause is a **substitution** for General Residential Zone - clause 8.6.1 Lot design ~~A1 and P1 and~~ A4 and P4, and clause 8.6.2 Roads.

<b>Objective:</b>	
The subdivision layout is consistent with the purpose of the Specific Area Plan and the development framework.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
<p><u>Each lot, or a lot proposed in a plan of subdivision, must:</u></p> <p><u>(a) Be required for public use by the Crown, a council or a State authority;</u></p> <p><u>(b) be required for the provision of Utilities; or</u></p>	<p>The layout of lots, roads, public open space and pedestrian connections must be compatible with the purpose of the Specific Area Plan and the development framework in Figure BRI-S11.2 having regard to:</p> <p>a) the facilitation of high levels of vehicular and pedestrian connectivity in the subdivision and to open spaces and adjacent areas;</p>

<p><u>(c) be for the consolidation of a lot with another lot provided each lot is within the same zone.</u></p> <p><del>The design and layout of lots (including lots proposed in a plan of subdivision), roads, public open space and pedestrian connections in Precinct A must:</del></p> <p><del>a) Be consistent with the development framework in Figure BRI-S11.2 and</del></p> <p><del>(i) be able to contain a minimum area of 10m x 15m with a gradient not steeper than 1 in 5, clear of:</del></p> <p><del>i. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</del></p> <p><del>ii. easements or other title restrictions that limit or restrict development; and</del></p> <p><del>(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</del></p> <p><del>(iii) be required for public use by the Crown, a council or a State authority; or</del></p> <p><del>(iv) be required for the provision of Utilities; or</del></p> <p><del>(v) be for the consolidation of a lot with another lot provided each lot is within the same zone.</del></p>	<p>b) the integration of landscaping into the road, pedestrian and open space network;</p> <p>c) avoid compromising the appropriate and reasonable future subdivision of the entirety of any balance lot or adjoining lot;</p> <p>d) any natural hazards or other site conditions that constrain future development;</p> <p>e) the topography of the site;</p> <p>f) facilitating higher lot densities around existing dwellings and adjoining public open space;</p> <p>g) the provision of the necessary road and service infrastructure;</p> <p>h) any relevant Codes; and</p> <p>i) any advice received from the road authority.</p>
--	--

**BRI-S11.8.3.2 Stormwater – Precinct A**

This clause is in **addition** to General Residential Zone - clause 8.6.3 Services

<b><u>Objective:</u></b>	
That the subdivision of land provides for a public stormwater system for each catchment in Precinct A	
<b><u>Acceptable Solutions</u></b>	<b><u>Performance Criteria</u></b>
<p><b><u>A1</u></b></p> <p><u>No Acceptable Solution</u></p>	<p><b><u>P1</u></b></p> <p><u>The stormwater system is to be designed in accordance with an approved stormwater management plan for relevant catchment(s) as shown in Figure BRI-S11.4</u></p>

**BRI-S11.8.4 Development Standards for Subdivision - Precinct B**

**BRI-S11.8.4.1 Lot size - Precinct B**

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

<b>Objective:</b>	
To provide for new lots that have higher densities close to services, facilities and public transport corridors.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b>	<b>P1</b>
<p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <p>(a) have an area of not less than the lot sizes specified in Table BRI-S11.9.1 and:</p> <p style="padding-left: 40px;">(i) be able to contain a minimum building area as specified in Table BRI-S11.9.1 with a gradient not steeper than 1 in 5, clear of:</p> <p style="padding-left: 80px;">a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and</p> <p style="padding-left: 80px;">b. easements or other title restrictions that limit or restrict development; and</p> <p style="padding-left: 40px;">(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; <u>or</u></p> <p>(b) be required for public use by the Crown, a council or a State authority;</p> <p>(c) be required for the provision of Utilities; or</p> <p>(d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</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 relevant requirements for development of buildings on the lots;</p> <p>(b) the intended location of buildings on the lots;</p> <p>(c) the topography of the site;</p> <p>(d) the presence of any natural hazards;</p> <p>(e) adequate provision of private open space; and</p> <p>(f) the pattern of development existing on established properties in the area.</p>
<b>A2</b>	<b>P2</b>
<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 a frontage not less than specified in Table BRI-S11.9.1</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 provided with a frontage or legal connection to a road by a right of carriageway, that is sufficient for the intended use, having regard to:</p>

	<p>(a) the width of frontage proposed, if any;</p> <p>(b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access;</p> <p>(c) the topography of the site;</p> <p>(d) the functionality and useability of the frontage;</p> <p>(e) the ability to manoeuvre vehicles on the site; and</p> <p>(f) the pattern of development existing on established properties in the area,</p> <p>and is not less than 3.6m wide.</p>
--	---

**BRI-S11.8.4.2 Movement network connections - Precinct B**

This clause is in **addition** to General Residential Zone - clause 8.6.2 Roads and Environmental Management Zone – clause 23.5.1 Lot design

<b>Objective:</b>	
The road layout, open space and pedestrian connections in Precinct B are consistent with the purpose of the Specific Area Plan and the development framework.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>The subdivision layout for Precinct B must include the road layout, open space and pedestrian connections so that it is consistent with the development framework in Figure BRI-S11.2.</p>	<p><b>P1</b></p> <p>The arrangement and construction of roads, open space and pedestrian connections within Precinct B must include:</p> <p>(a) connections to the existing roads abutting the Precinct along the northern and eastern boundary;</p> <p>(b) provide <del>an active edge opportunities</del> <u>for passive surveillance and permeability</u> along the boundary of 1 Elderslie Road.</p> <p>(c) provide linkages through 33 Elderslie Rd and 69 Brighton Road; and</p> <p>(d) provide for new lots with frontage to Brighton Rd.</p>



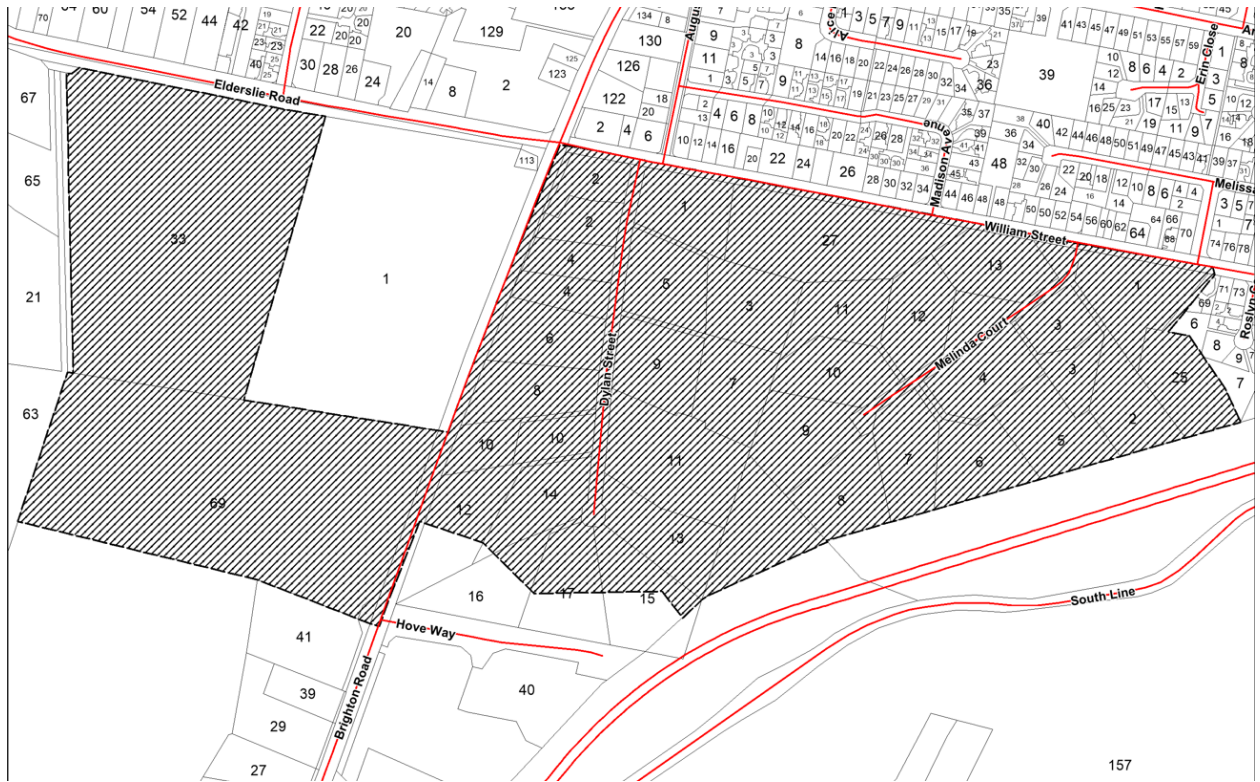
## BRI-S11.9 Tables

### BRI-S11.9.1

	Minimum Lot Size*	Minimum frontage	Minimum building area
Ordinary lot (i.e. not otherwise specified below)	450m <sup>2</sup>	12m	10m x 15m
Lots adjoining or opposite public open space, or Lots within 400m of a public transport corridor, or Lots within 200m walking distance of a business zone, local shop or school.	350m <sup>2</sup>	<del>9m</del> 12m	9m x 12m

*\*Not including any fee simple access strip*

**Figure BRI-S11.1 The South Brighton Specific Area Plan Area**



**Figure BRI-S11.2 The South Brighton Specific Area Plan Development Framework**

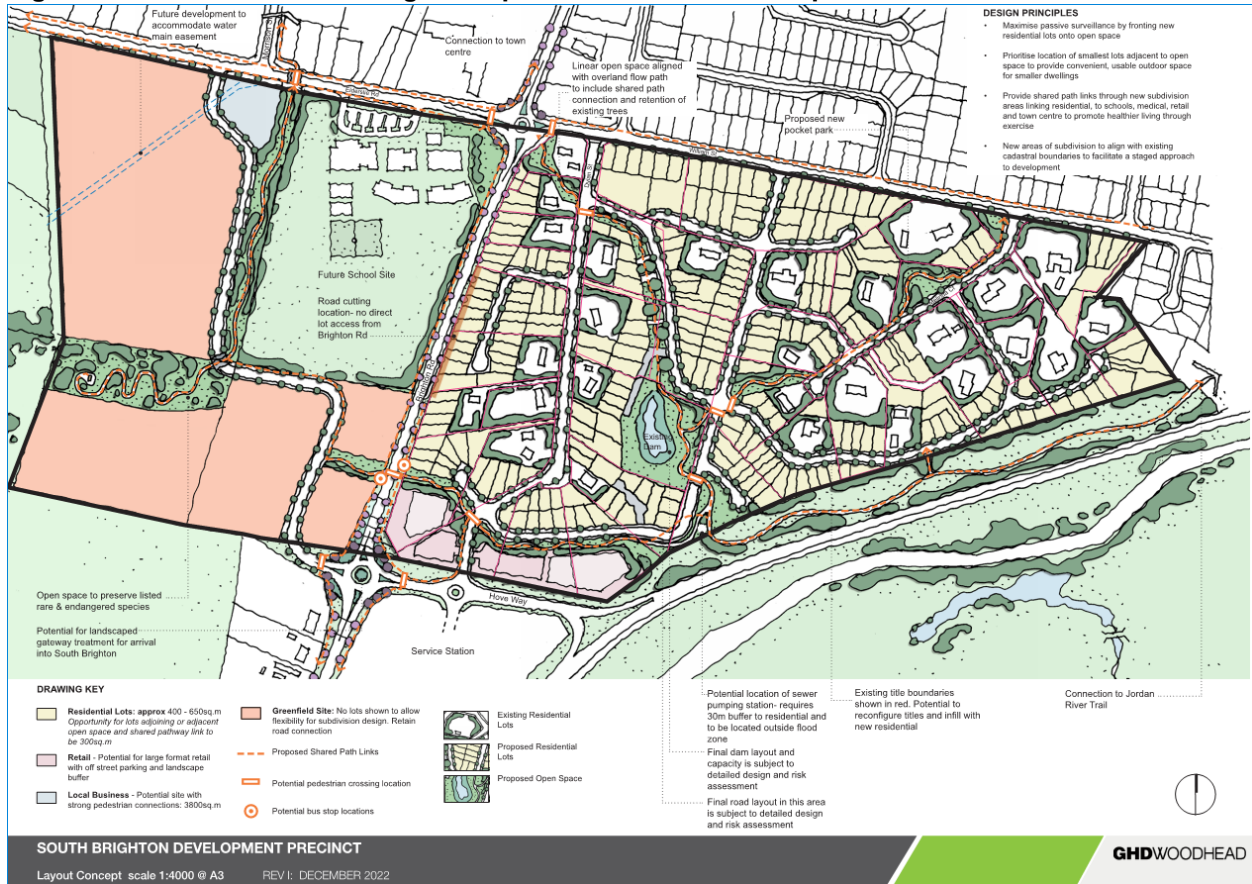
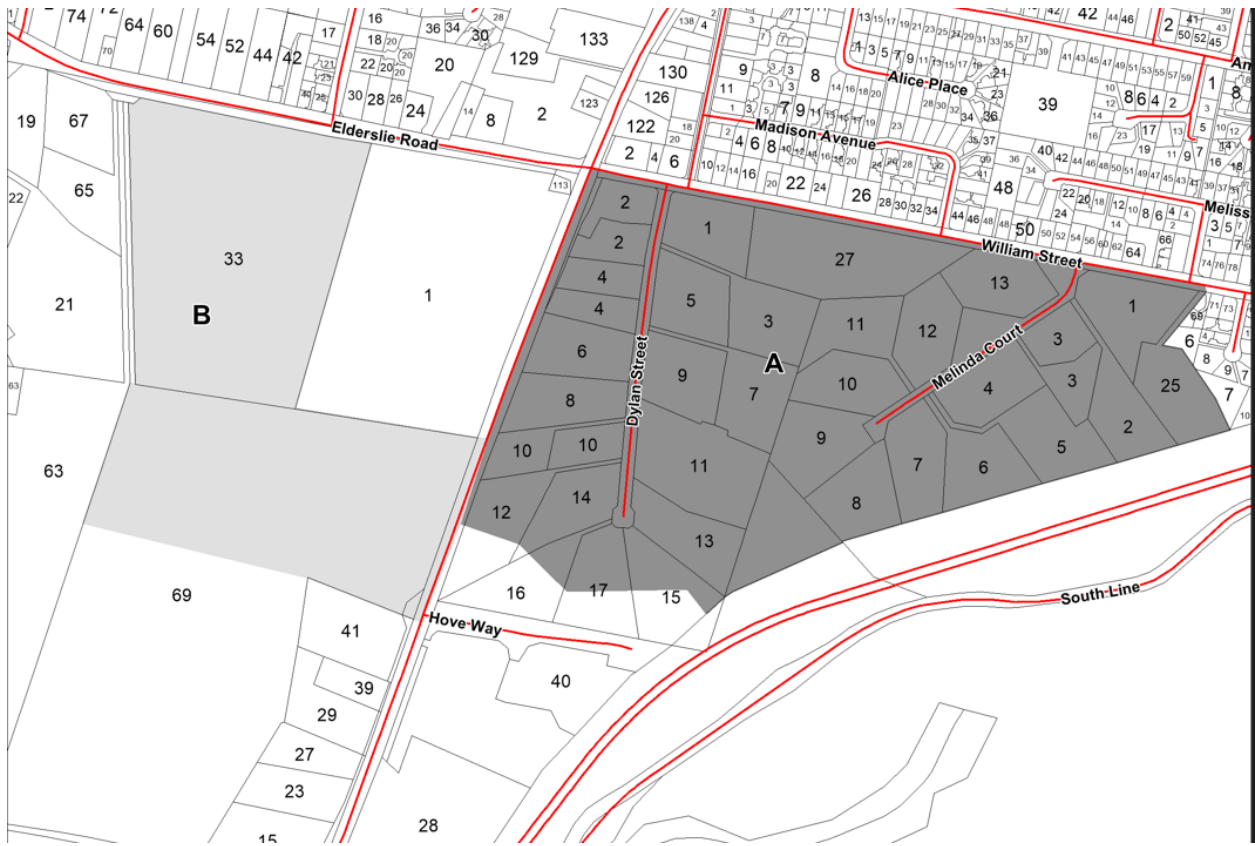
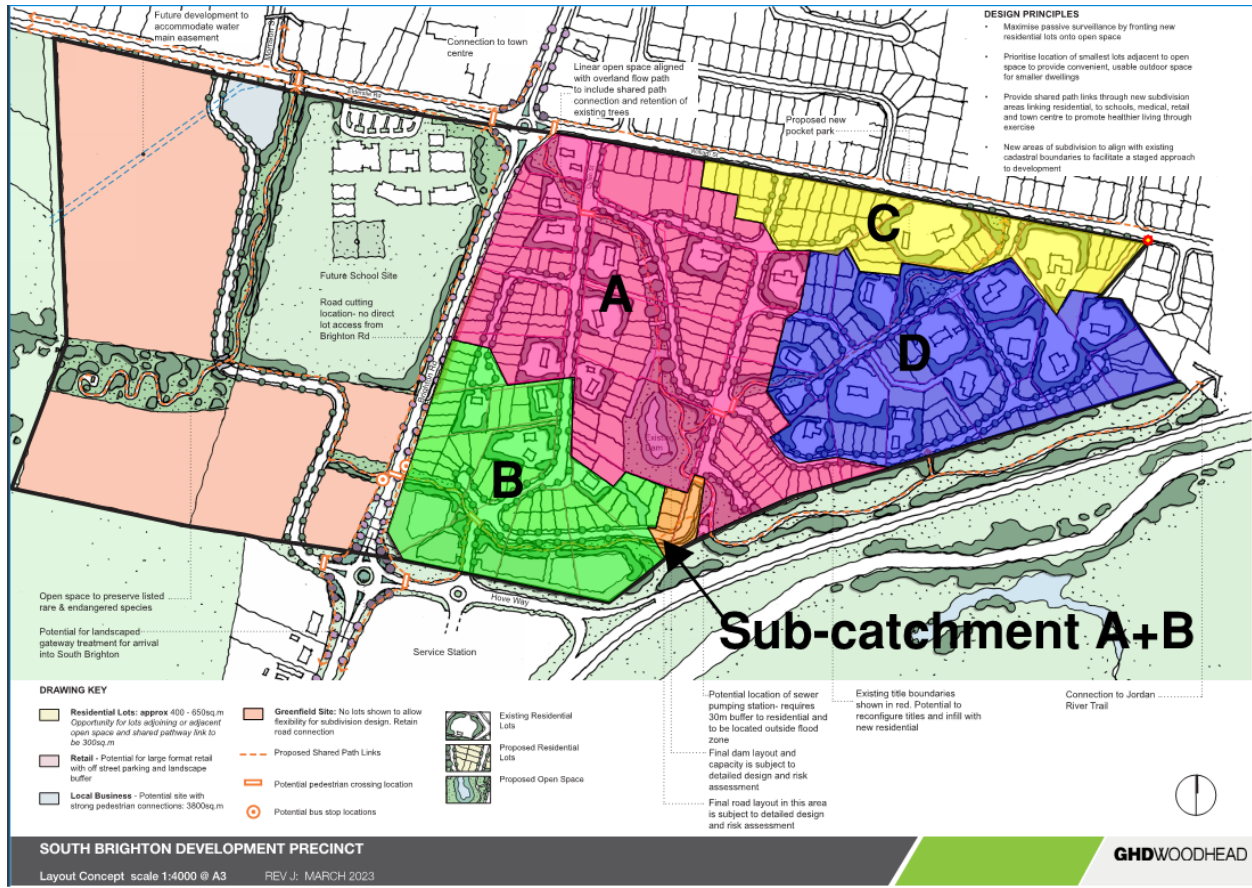


Figure BRI-S11.3 Precincts






**Figure BRI-S11.4 Stormwater catchments**





- DESIGN PRINCIPLES**
- Maximise passive surveillance by fronting new residential lots onto open space
  - Prioritise location of smallest lots adjacent to open space to provide convenient, usable outdoor space for smaller dwellings
  - Provide shared path links through new subdivision areas linking residential, to schools, medical, retail and town centre to promote healthier living through exercise
  - New areas of subdivision to align with existing cadastral boundaries to facilitate a staged approach to development

- DRAWING KEY**
- Residential Lots: approx 400 - 650sq.m**  
*Opportunity for lots adjoining or adjacent open space and shared pathway link to be 300sq.m*
  - Retail** - Potential for large format retail with off street parking and landscape buffer
  - Local Business** - Potential site with strong pedestrian connections: 3800sq.m
  - Greenfield Site:** No lots shown to allow flexibility for subdivision design. Retain road connection
  - Proposed Shared Path Links
  - Potential pedestrian crossing location
  - Potential bus stop locations

-  Existing Residential Lots
-  Proposed Residential Lots
-  Proposed Open Space

- Potential location of sewer pumping station- requires 30m buffer to residential and to be located outside flood zone
- Final dam layout and capacity is subject to detailed design and risk assessment
- Final road layout in this area is subject to detailed design and risk assessment
- Existing title boundaries shown in red. Potential to reconfigure titles and infill with new residential
- Connection to Jordan River Trail

**SOUTH BRIGHTON DEVELOPMENT PRECINCT**

## 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-S3.1.4 To control potential off-site amenity impacts on surrounding residential properties.

### 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 are in substitution for, and are in addition to the provisions of:
- (a) Light Industrial Zone; and  
as specified in the relevant provision.

### BRI-S3.3 Local Area Objectives

This clause is not used in this specific area plan.

### BRI-S3.4 Definition of Terms

This clause is not used in this specific area plan.

### BRI-S3.5 Use Table

This clause is a substitution for Light Industrial Zone – clause 18.2 Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	
Passive Recreation	
Utilities	If minor utilities
<b>Permitted</b>	

Bulky Goods Sales	
Emergency Services	
Food services	If for: (a) no more than two (2) takeaway food shops; and (b) no more than one (1) restaurant whether as a single use or as an ancillary use to a principle use.
Service Industry	If for car wash
Vehicle fuel sales and service	
<b>Discretionary</b>	
Community meeting & entertainment	If a cinema
Equipment and Machinery Sales and Hire	
Food Services	Except if permitted
General Retail and Hire	If for department store or bottle shop.
Resource Processing	If for food and beverage production
Sport and Recreation	
Tourist Operation	If for visitor centre
Utilities	Except if no permit required
<b>Prohibited</b>	
All other uses	

## **BRI-S3.6 Use Standards**

### **BRI-S3.6.1 Noise**

This clause is in addition to Light Industrial Zone – clause 18.3 Use Standards.

Objective:	Noise emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Noise emissions measured at the boundary of a residential zone must not exceed the following:	<b>P1</b> Noise emissions measured at the boundary of a residential zone must not cause environmental harm within a residential zone.	



<p>(a) 55dB(A) (LAeq) between 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, between the hours of 7.00pm to 7.00am;</p> <p>(c) 65dB(A) (LAm<sub>ax</sub>) 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><b>A2</b></p> <p>External amplified loud speakers or music must not be used within 50m of a residential zone.</p>	<p><b>P2</b></p> <p>No Performance Criteria.</p>

BRI-S3.6.2 Dust, Smell, Fumes and Other Emissions

This clause is in addition to Light Industrial Zone – clause 18.3 Use Standards.

<p>Objective:</p>	<p>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.</p>
<p><b>Acceptable Solutions</b></p>	<p><b>Performance Criteria</b></p>
<p><b>A1</b></p> <p>A use must not emit dust or other particles, smell or fumes beyond the boundaries of its site.</p>	<p><b>P1</b></p> <p>The emission of dust or other particles, smell or fumes must not have unreasonable impact on the amenity and safety of any other property, having regard to:</p> <p>(a) the hours of operation;</p> <p>(b) the frequency of the emission;</p> <p>(c) the nature of the emission and the degree of its impact on other land, including whether such land is in a residential zone;</p> <p>(d) whether the emission contains any harmful substance; and</p>

	(e) whether surrounding land contains uses with similar emissions.
--	--

**BRI-S3.6.3 Discretionary uses**

This clause is in addition to Light Industrial Zone – clause 18.3.2 Use Standards.

<b>Objective:</b>	That uses listed as Discretionary do not compromise or distort the activity centre hierarchy.	
	<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
	<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the characteristics of the site;</li> <li>(b) the size and scale of the proposed use;</li> <li>(c) the function of the activity centre and the surrounding activity centres; and</li> <li>(d) the extent that the proposed use impacts on the other activity centres.</li> </ul>

**BRI-S3.7 Development Standards for Buildings and Works**

**BRI-S3.7.1 Setback**

This clause is a substitution for Light Industrial Zone – clause 18.4.2 Setbacks A1/P1

<b>Objective:</b>	Building setback contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.	
	<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
	<p><b>A1</b></p> <p>Building setback (excluding signage) from a frontage must be no less than:</p> <ul style="list-style-type: none"> <li>(a) 15m to Brighton Road;</li> <li>(b) 20m to Midland Highway; and</li> <li>(c) 10m to a road in, or adjoining, a residential zone.</li> </ul>	<p><b>P1</b></p> <p>Building setback from frontage (excluding signage) contribute positively to the streetscape and not result in unreasonable impact on residential amenity of land in a residential zone, having regard to:</p> <ul style="list-style-type: none"> <li>(a) the setback of adjoining buildings;</li> <li>(b) maintaining a continuous building line if evident in the streetscape;</li> </ul>

	<p>(c) the characteristics of the site, adjoining properties and the streetscape; and</p> <p>(d) opportunity for parking.</p>
--	---

BRI-S3.7.2 Design

This clause is an addition to Light Industrial Zone – clause 18.4 Development Standards for Buildings and Works

Objective:	That building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Building design must address the street, having regard to:</p> <ul style="list-style-type: none"> <li>(a) provide the main pedestrian entrance to the building(s) facing the frontage or facing an effective internal frontage created by internal access roads, pedestrian and parking areas;</li> <li>(b) provide windows and door openings at ground floor level in the front façade no less than 30% of the surface area;</li> <li>(c) any single expanse of blank wall in the ground level front façade and facades facing other public spaces does not exceed 20m<sup>2</sup>;</li> <li>(d) screen 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;</li> <li>(e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; and</li> <li>(f) not include security shutters over windows or doors with a frontage to a street or public place.</li> </ul>	<p><b>P1</b></p> <p>Building design must enhance the streetscape, having regard to:</p> <ul style="list-style-type: none"> <li>(a) provide main accesses to buildings in a way that addresses the street or internal areas of pedestrian and vehicular movement;</li> <li>(b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;</li> <li>(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;</li> <li>(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</li> <li>(e) roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;</li> </ul>
<p><b>A2</b></p> <p>Exterior building finishes on land adjoining and facing a residential zone must:</p>	<p><b>P2</b></p> <p>Exterior building finishes on land adjoining a residential zone must:</p>

<p>(a) be coloured using colours with a light reflectance value not more than 40%; and;</p> <p>(b) not have any single expanse of blank wall that exceeds 20m<sup>2</sup>;</p>	<p>(a) be coloured in muted tones; and</p> <p>(b) if within 50m of a residential zone, any openings in walls facing a residential zone be accompanied by effective acoustic screening in the intervening space.</p>
--	---

BRI-S3.7.3 Passive Surveillance

This clause is an addition to Light Industrial Zone – clause 18.4 Development Standards for Buildings and Works

Objective:	That building design provides for the safety of the public.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>Building design must:</p> <p>(a) provide the main entrance or entrances to a building so that they are clearly visible from the street and well-lit at night;</p> <p>(b) provide windows with clear glazing no less than the following:</p> <p style="padding-left: 40px;">(i) 40% of the facade of walls that front a street;</p> <p style="padding-left: 40px;">(ii) 30% of the facade of walls that face public space or a car park for the building;</p> <p>(c) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces;</p> <p>(d) provide external lighting to illuminate car parking areas and pathways; and</p> <p>(e) provide well-lit public access at the ground floor level from any external car park.</p>	<p><b>P1</b></p> <p>Building design must provide for passive surveillance of public spaces, having regard to:</p> <p>(a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;</p> <p>(b) locate windows to adequately overlook the street and adjoining public spaces;</p> <p>(c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa;</p> <p>(d) locate external lighting to illuminate any entrapment spaces around the building site;</p> <p>(e) provide external lighting to illuminate car parking areas and pathways;</p> <p>(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</p> <p>(g) provide for sight lines to other buildings and public spaces.</p>	

BRI-S3.7.4 Landscaping

This clause is an addition to Light Industrial Zone – clause 18.4.5 Landscaping

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
<p><b>A1</b></p> <p>Along a boundary with a residential zone landscaping must be provided for a depth no less than 5m.</p>	<p><b>P1</b></p> <p>Along a boundary with a residential zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to:</p> <p>(a) the characteristics of the site; and</p> <p>(b) the characteristics of the adjoining residentially-zones land.</p>

BRI-S3.7.5 Fencing

This clause is an substitution to Light Industrial Zone – clause 18.4.3 Fencing

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><b>A1</b></p> <p>Fencing and gates must:</p> <p>(a) not be erected within 10m of the frontage if greater in height than 1.5m; and</p> <p>(b) be 50% transparent above a height of 1.2m if along a frontage;</p>	<p><b>P1</b></p> <p>Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a residential zone which lies opposite or shares a common boundary with a 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-S3.7.6 Bowsers and Fuel Tanks

This clause is an addition to Light Industrial Zone – clause 18.4 Development Standards for Buildings and Works

Objective:	That siting of bowsers and fuel tanks do not unreasonable adverse impact on residential amenity of land in a residential zone.
------------	--

Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>Bowsers and fuel tanks and any vehicular access associated with such infrastructure must be separated from land in a residential zone by no less than 50m.</p>	<p><b>P1</b></p> <p>Bowsers and fuel tanks and any vehicular access associated with such infrastructure must not have an unreasonable impact on residential amenity of adjoining land.</p>

## BRI-S3.8 Development Standards for Subdivision

### BRI-S3.8.1 Lot design

This clause is a substitution for Light Industrial Zone – clause 18.5.1 Lot design

Objective:	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.
Acceptable Solutions	Performance Criteria
<p><b>A1</b></p> <p>No acceptable solution.</p>	<p><b>P1</b></p> <p>The size of each lot must be sufficient to accommodate development compatible with the Specific Area Plan Purpose.</p>
<p><b>A2</b></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 &amp; A2; and</p> <p>(b) easements or other title restrictions that would limit or restrict the development of a commercial building;</p>	<p><b>P2</b></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) the need for earth works, retaining walls, and cut &amp; fill associated with future development.</p>
<p><b>A3</b></p> <p>The frontage for each lot must be no less than 25m.</p>	<p><b>P3</b></p> <p>The frontage of each lot must be sufficient to accommodate development having regard to:</p> <p>(a) the Specific Area Plan Purpose;</p>

	(b) any Local Area Objectives;
<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<p><b>P4</b></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"> <li>(a) the Specific Area Plan Purpose;</li> <li>(b) any relevant road network plan adopted by the Planning Authority;</li> <li>(c) facilitating the potential of subdivision of adjoining land;</li> <li>(d) maximising levels of access, safety, convenience and legibility having regard to a road function hierarchy; and</li> <li>(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.</li> </ul>

### **BRI-S3.9 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-S3.1.4 To control potential off-site amenity impacts on surrounding residential properties.~~

## 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-S3.2.32 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~~ Light Industrial Zone; and  
~~(b) Signs Code,~~  
as specified in the relevant provision.

## BRI-S3.3 Local Area Objectives

This clause is not used in this specific area plan.

## BRI-S3.4 Definition of Terms

This clause is not used in this specific area plan.

## BRI-S3.5 Use Table

This clause is a substitution for Rural Light Industrial Zone – clause ~~2180.2~~ Use Table

Use Class	Qualification
<b>No Permit Required</b>	
Natural and cultural values management	

Passive Recreation	
Utilities	If minor utilities
<b>Permitted</b>	
Bulky Goods Sales	
<u>Emergency Services</u>	
Food services	If for: (a) no more than two (2) takeaway food shops; and (b) no more than one (1) restaurant whether as a single use or as an ancillary use to a principle use.
Service Industry	If for car wash
Vehicle fuel sales and service	
<b>Discretionary</b>	
Community meeting & entertainment	If a cinema
Equipment and Machinery Sales and Hire	
Food Services	Except if permitted
General Retail and Hire	If for department store or bottle shop.
Resource Processing	If for food and beverage production
Sport and Recreation	
Tourist Operation	If for visitor centre
Utilities	Except if no permit required
<b>Prohibited</b>	
All other uses	

## **BRI-S3.6 Use Standards**

~~The use clauses are a substitution for all use standards in Rural Zone — clause 20.3~~

### ~~BRI-S3.6.1 — Hours of Operation~~

<del>Objective:</del>	<del>Hours of operation do not have unreasonable impact on residential amenity on land within a residential zone.</del>	
<del>Acceptable Solutions</del>		<del>Performance Criteria</del>

<p><b>A1</b></p> <p><del>Hours of operation of a use within 50m of a residential zone must be within:</del></p> <p><del>(a) 7.00am to 9.00pm Mondays to Saturdays inclusive;</del></p> <p><del>(b) 8.00am to 6.00pm Sundays and Public Holidays.</del></p> <p><del>except for office and administrative tasks.</del></p>	<p><b>P1</b></p> <p><del>Hours of operation of a use within 50m of a residential zone must not have an unreasonable impact upon the residential amenity of land in a residential zone, having regard to:</del></p> <p><del>(a) commercial vehicle movements;</del></p> <p><del>(b) noise;</del></p> <p><del>(c) or other emissions</del></p> <p><del>that are unreasonable in their timing, duration or extent.</del></p>
--	---

BRI-S3.6.12 Noise

This clause is in ~~substitution-addition to for Rural~~Light Industrial Zone – clause 1829.3 Use Standards.

Objective:	Noise emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>Noise emissions measured at the boundary of a residential zone must not exceed the following:</p> <p>(a) 55dB(A) (LAeq) between 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, between the hours of 7.00pm to 7.00am;</p> <p>(c) 65dB(A) (LAm<sub>ax</sub>) 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><b>P1</b></p> <p>Noise emissions measured at the boundary of a residential zone must not cause environmental harm within a residential zone.</p>	
<p><b>A2</b></p>	<p><b>P2</b></p> <p>No Performance Criteria.</p>	

External amplified loud speakers or music must not be used within 50m of a residential zone.	
--	--

~~BRI S3.6.3 — External Lighting~~

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

<b>Objective:</b>	<del>External lighting does not have unreasonable impact on residential amenity on land within a residential zone.</del>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p><del>External lighting within 50m of a residential zone must comply with all of the following:</del></p> <p><del>(a) be turned off between 10:00pm and 6:00am, except for security lighting;</del></p> <p><del>(b) security lighting must not cause emission of light outside the zone.</del></p>	<p><b>P1</b></p> <p><del>External lighting within 50m of a residential zone must not adversely affect the amenity of adjoining residential areas, having regard to:</del></p> <p><del>(a) level of illumination and duration of lighting;</del></p> <p><del>and</del></p> <p><del>(b) (b) distance to habitable rooms in an adjacent dwellings.</del></p>

~~BRI S3.6.4 — Commercial Vehicle Movements~~

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

<b>Objective:</b>	<del>Commercial vehicle movements do not have unreasonable impact on residential amenity on land within a residential zone.</del>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p><del>Commercial vehicle movements, (including load &amp; unloading and garbage removal) to or from a site within 50m of a residential zone must be within the hours of:</del></p> <p><del>(a) 7.00am to 7.00pm Mondays to Fridays inclusive;</del></p> <p><del>(b) 8.00am to 6.00pm Saturdays;</del></p> <p><del>(c) 9.00am to 5.00pm Sundays and Public Holidays.</del></p>	<p><b>P1</b></p> <p><del>Commercial vehicle movements, (including load &amp; unloading and garbage removal) to or from a site within 50m of a residential zone must not result in unreasonable adverse impact upon residential amenity, having regard to:</del></p> <p><del>(a) the time and duration of commercial vehicle movements;</del></p> <p><del>(b) the number and frequency of commercial vehicle movements;</del></p> <p><del>(c) the size of commercial vehicles involved;</del></p> <p><del>(d) the ability of the site to accommodate commercial vehicle turning movements;</del></p>

	<p>including the amount of reversing (including associated warning noise);</p> <p>(e) noise-reducing structures between vehicle movement areas and dwellings;</p> <p>(f) the level of traffic on the road; and</p> <p>(g) the potential for conflicts with other traffic.</p>
--	---

~~BRI-S3.6.5~~ ~~Outdoor Work Areas~~

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

<b>Objective:</b>	<del>Use of outdoor work areas does not have unreasonable impact on residential amenity on land within a residential zone.</del>
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p><del>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 residential zone.</del></p>	<p><b>P1</b></p> <p><del>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.</del></p>

BRI-S3.6.26 Dust, Smell, Fumes and Other Emissions

This clause is in addition to Light Industrial Zone – clause 18.3 Use Standards. ~~This clause is in substitution for Rural Zone – clause 20.3 Use Standards.~~

<b>Objective:</b>	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.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>A use must not emit dust or other particles, smell or fumes beyond the boundaries of its site.</p>	<p><b>P1</b></p> <p>The emission of dust or other particles, smell or fumes must not have unreasonable impact on the amenity and safety of any other property, having regard to:</p> <p>(a) the hours of operation;</p> <p>(b) the frequency of the emission;</p> <p>(c) the nature of the emission and the degree of its impact on other land, including whether such land is in a residential zone;</p>

	<p>(d) whether the emission contains any harmful substance; and</p> <p>(e) whether surrounding land contains uses with similar emissions.</p>
--	---

BRI-S3.6.37 Discretionary uses

This clause is in ~~substitution-addition to for Rural Zone~~ Light Industrial Zone – clause 18.3.220-3 Use Standards.

Objective:	That uses listed as Discretionary do not compromise or distort the activity centre hierarchy.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>No Acceptable Solution.</p>	<p><b>P1</b></p> <p>A use listed as Discretionary must not compromise or distort the activity centre hierarchy, having regard to:</p> <p>(a) the characteristics of the site;</p> <p>(b) the size and scale of the proposed use;</p> <p>(c) the function of the activity centre and the surrounding activity centres; and</p> <p>(d) the extent that the proposed use impacts on the other activity centres.</p>	

**BRI-S3.7 Development Standards for Buildings and Works**

~~BRI-S3.7.1 Building Height~~

~~This clause is a substitution for Rural Zone – clause 20.4.1 Building height~~

Objective:	<del>Building height contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.</del>	
<del><b>Acceptable Solutions</b></del>	<del><b>Performance Criteria</b></del>	
<p><del><b>A1</b></del></p> <p><del>Building height must be no more than 10m.</del></p>	<p><del><b>P1</b></del></p> <p><del>Building height must:</del></p> <p><del>(a) contribute positively to the streetscape and not result in unreasonable impact on residential amenity of land in a residential zone, having regard to:</del></p> <p><del>(i) the scale of nearby buildings;</del></p>	

	<p><del>(ii) any overshadowing of adjacent public space;</del></p> <p><del>(iii) the transition in height between adjoining buildings; and</del></p> <p><del>(b) be no more than 12m.</del></p>
<p><b>A2</b></p> <p><del>Building height within 10m of a residential zone must be no more than 8.5m.</del></p>	<p><b>P2</b></p> <p><del>Building height within 10m of a residential zone must:</del></p> <p><del>(a) be consistent with the building height of existing buildings on adjoining properties in a residential zone; and</del></p> <p><del>(b) not cause a loss of residential amenity, having regard to:</del></p> <p><del>(i) overshadowing;</del></p> <p><del>(ii) loss of sunlight or daylight; or</del></p> <p><del>(iii) visual bulk.</del></p>

BRI-S3.7.12 Setback

This clause is a substitution for ~~Rural Zone~~ Light Industrial Zone – clause 18.4.220-4.2 Setbacks A1/P1

Objective:	Building setback contributes positively to the streetscape and does not result in unreasonable impact on residential amenity of land in a residential zone.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>Building setback (excluding signage) from a frontage must be no less than:</p> <p>(a) 15m to Brighton Road;</p> <p>(b) 20m to Midland Highway; and</p> <p>(c) <del>4</del>10m to a road in <u>, or adjoining,</u> a residential zone.</p>	<p><b>P1</b></p> <p>Building setback from frontage (excluding signage) contribute positively to the streetscape and not result in unreasonable impact on residential amenity of land in a residential zone, having regard to:</p> <p>(a) the setback of adjoining buildings;</p> <p>(b) maintaining a continuous building line if evident in the streetscape;</p> <p>(c) the characteristics of the site, adjoining properties and the streetscape; and</p> <p>(d) opportunity for parking.</p>	
<b>A2</b>	<b>P2</b>	

<p><del>Building must have a setback from side and rear boundaries, irrespective of the zone of adjoining land, and inclusive of signage of no less than:</del></p> <p><del>(a) 5m; or</del></p> <p><del>(b) half the height of the wall, whichever is the greater.</del></p>	<p><del>Buildings (including signage) must be sited sufficiently from a residential zone to prevent unreasonable adverse impacts on residential amenity, having regard to:</del></p> <p><del>(a) overshadowing and reduction of sunlight to habitable rooms and private open space on adjoining properties to less than 3 hours between:</del></p> <p><del>(i) 9.00am and 5.00pm on June 21; or</del></p> <p><del>(ii) further decrease sunlight hours if already less than 3 hours;</del></p> <p><del>(b) overlooking and loss of privacy;</del></p> <p><del>(c) visual impact when viewed from adjoining properties; and</del></p> <p><del>(d) aspect and slope.</del></p>
---	--

BRI-S3.7.23 Design

This clause is an addition to Rural Zone Light Industrial Zone – clause 20.418.4 Development Standards for Buildings and Works

Objective:	That building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p>Building design must address the street, having regard to:</p> <p>(a) provide the main pedestrian entrance to the building(s) facing the frontage or facing an effective internal frontage created by internal access roads, pedestrian and parking areas;</p>	<p><b>P1</b></p> <p>Building design must enhance the streetscape, having regard to:</p> <p>(a) provide main accesses to buildings in a way that addresses the street or internal areas of pedestrian and vehicular movement;</p> <p>(b) provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;</p>	



<ul style="list-style-type: none"> <li>(b) provide windows and door openings at ground floor level in the front façade no less than 30% of the surface area;</li> <li>(c) any single expanse of blank wall in the ground level front façade and facades facing other public spaces does not exceed 20m<sup>2</sup>;</li> <li>(d) screen 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;</li> <li>(e) incorporate roof-top service infrastructure, including service plants and lift structures, within the design of the roof; and</li> <li>(f) not include security shutters over windows or doors with a frontage to a street or public place.</li> </ul>	<ul style="list-style-type: none"> <li>(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;</li> <li>(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</li> <li>(e) roof-top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;</li> </ul>
<p><b>A2</b></p> <p><del>Walls of a building</del> <u>Exterior building finishes</u> on land adjoining and facing a residential zone must:</p> <ul style="list-style-type: none"> <li>(a) be <del>coloured using colours with a light reflectance value not more than 40%; and</del> <u>coloured in muted tones;</u></li> <li>(b) not have any single expanse of blank wall that exceeds 20m<sup>2</sup>;</li> </ul>	<p><b>P2</b></p> <p><del>Walls of a building</del> <u>Exterior building finishes</u> on land adjoining a residential zone must:</p> <ul style="list-style-type: none"> <li>(a) be coloured in muted tones; and</li> <li>(b) if within 50m of a residential zone, any openings in walls facing a residential zone be accompanied by effective acoustic screening in the intervening space.</li> </ul>

BRI-S3.7.34 Passive Surveillance

This clause is an addition to Rural-Light Industrial Zone – clause 1820.4 Development Standards for Buildings and Works

Objective:	That building design provides for the safety of the public.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<p><b>A1</b></p> <p>Building design must:</p> <ul style="list-style-type: none"> <li>(a) provide the main entrance or entrances to a building so that they are clearly visible from the street and well-lit at night;</li> </ul>	<p><b>P1</b></p> <p>Building design must provide for passive surveillance of public spaces, having regard to:</p>

<p>(b) provide windows with clear glazing no less than the following:</p> <ul style="list-style-type: none"> <li>(i) 40% of the facade of walls that front a street;</li> <li>(ii) 30% of the facade of walls that face public space or a car park for the building;</li> </ul> <p>(c) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces;</p> <p>(d) provide external lighting to illuminate car parking areas and pathways; and</p> <p>(e) provide well-lit public access at the ground floor level from any external car park.</p>	<p>(a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces;</p> <p>(b) locate windows to adequately overlook the street and adjoining public spaces;</p> <p>(c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa;</p> <p>(d) locate external lighting to illuminate any entrapment spaces around the building site;</p> <p>(e) provide external lighting to illuminate car parking areas and pathways;</p> <p>(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</p> <p>(g) provide for sight lines to other buildings and public spaces.</p>
--	--

BRI-S3.7.45 Landscaping

This clause is an addition to Rural Zone Light Industrial Zone – clause 20.418.4.5 Development Standards for Buildings and Works Landscaping

Objective:	That safe and attractive landscaping treatment enhances the appearance of the site and provides a visual break from land in a residential zone.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<p><b>A1</b></p> <p><del>If a building is set back from a road, landscaping treatment must be provided along the frontage of the site:</del></p> <ul style="list-style-type: none"> <li><del>(a) to a depth of not less than 6m; or</del></li> <li><del>(b) not less than the frontage of an existing building if it is a lesser distance.</del></li> </ul>	<p><b>P1</b></p> <p><del>If a building is setback from a road, landscaping treatment must be provided along the frontage of the site, having regard to:</del></p> <ul style="list-style-type: none"> <li><del>(a) the width of the setback;</del></li> <li><del>(b) the width of the frontage;</del></li> <li><del>(c) the topography of the site;</del></li> <li><del>(d) existing vegetation on the site;</del></li> <li><del>(e) the location, type and growth of the proposed vegetation; and</del></li> </ul>	

	<del>(f) any relevant local area objectives contained within the relevant Local Provisions Schedule.</del>
<b>A12</b> Along a boundary with a residential zone landscaping must be provided for a depth no less than 5m.	<b>P12</b> Along a boundary with a residential zone landscaping or a building design solution must be provided to avoid unreasonable adverse impact on the visual amenity of adjoining land in a residential zone, having regard to:  (a) the characteristics of the site; and  (b) the characteristics of the adjoining residentially-zones land.

~~BRI-S3.7.6 — Outdoor Storage Areas~~

~~This clause is an addition to Rural Zone — clause 20.4 Development Standards for Buildings and Works~~

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

~~BRI-S3.7.57~~ Fencing

~~This clause is an addition substitution to Rural Light Industrial Zone – clause 20.418.4.3 Fencing Development Standards for Buildings and Works~~

<b>Objective:</b>	That fencing does not detract from the appearance of the site or the locality and provides for passive surveillance.
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>
<b>A1</b> Fencing and gates must:  (a) not be erected within 10m of the frontage if greater in height than 1.5m; <u>and</u>	<b>P1</b> Fencing must contribute positively to the streetscape and not have an unreasonable adverse impact upon the amenity of land in a

<p>(b) be 50% transparent above a height of 1.2m if along a frontage; <del>and</del></p> <p><del>(e) e no more than 2.1m and must not contain barbed wire if along a common boundary with land in a residential zone.</del></p>	<p>residential zone which lies opposite or shares a common boundary with a 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-S3.7.68 Bowsers and Fuel Tanks

This clause is an addition to ~~Rural Zone~~ Light Industrial Zone – clause ~~20.18.4~~ Development Standards for Buildings and Works

Objective:	That siting of bowsers and fuel tanks do not unreasonable adverse impact on residential amenity of land in a residential zone.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> Bowsers and fuel tanks and any vehicular access associated with such infrastructure must be separated from land in a residential zone by no less than 50m.	<b>P1</b> Bowsers and fuel tanks and any vehicular access associated with such infrastructure must not have an unreasonable impact on residential amenity of adjoining land.	

**BRI-S3.8 Development Standards for Subdivision**

BRI-S3.8.1 Lot design

This clause is a substitution for ~~Rural~~ Light Industrial Zone – clause ~~18.20.5.1~~ Lot design

Objective:	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.	
<b>Acceptable Solutions</b>	<b>Performance Criteria</b>	
<b>A1</b> No acceptable solution.	<b>P1</b>	

	<p>The size of each lot must be sufficient to accommodate development compatible with the Specific Area Plan Purpose.</p>
<p><b>A2</b></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 &amp; A2; and</p> <p>(b) easements or other title restrictions that would limit or restrict the development of a commercial building;</p>	<p><b>P2</b></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) the need for earth works, retaining walls, and cut &amp; fill associated with future development.</p>
<p><b>A3</b></p> <p>The frontage for each lot must be no less than 25m.</p>	<p><b>P3</b></p> <p>The frontage of each lot must be sufficient to accommodate development having regard to:</p> <p>(a) the Specific Area Plan Purpose;</p> <p>(b) any Local Area Objectives;</p>
<p><b>A4</b></p> <p>No Acceptable Solution.</p>	<p><b>P4</b></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> <p>(a) the Specific Area Plan Purpose;</p> <p>(b) any relevant road network plan adopted by the Planning Authority;</p> <p>(c) facilitating the potential of subdivision of adjoining land;</p> <p>(d) maximising levels of access, safety, convenience and legibility having regard to a road function hierarchy; and</p>

		(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.
<b>A5</b> Each lot must be connected to services adequate to support the likely future use and development of the land.	<b>P5</b> <del>No Performance Criteria.</del>	

**BRI-S3.9 Tables**

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