



28 March 2024

Mr Dan Ford
Delegate (Chair)
Tasmanian Planning Commission

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

Dear Mr Ford

**Tasmanian Planning Scheme – Brighton
Draft Amendment RZ 2022-005**

I refer to your correspondence dated 8 March 2024, and thank you for the opportunity to make further submissions and amendments to the draft amendment RZ 2022-005.

A summary of Council's response to each Direction is provided at Appendix A. Revised drafts of the amended Specific Area Plans (SAPs) are also attached, both as clean and track-changed versions. Revised mapping as per Direction 2 - 2.0 and 2.1 are still with GIS consultants and will be sent through as soon as possible – estimated to be Tuesday 9 April.

Please do not hesitate to contact me on david.allingham@brighton.tas.gov.au or 0404 996 614 should you wish to discuss this matter further.

Yours sincerely

David Allingham

DIRECTOR DEVELOPMENT SERVICES

Attachments:

Attachment A – Council's response to directions

Attachment B – South Brighton SAP – track changes (word)

Attachment C – South Brighton SAP – clean (word)

Attachment D – South Brighton SAP – clean (pdf)

Attachment E – Highway Services Precinct SAP – track changes (word)

Attachment F – Highway Services Precinct SAP – clean (word)

Attachment G – Highway Services Precinct SAP – clean (pdf)

Appendix A - Council's Response to Directions for draft amendment RZ 2022-05

Direction No.	Direction	Council comment
Direction 1 – South Brighton SAP		
1.0	Review the drafting conventions and formatting of the SAP. Make any necessary minor corrections, such as formatting or punctuation, perhaps using the template. A word version is available by contacting the Commission. Also, please see Practice Note 5 and Practice Note 8 for guidance on the drafting conventions, technical drafting requirements and writing style of the SPPs.	Done.
2.1	Replace 'South Brighton Development Precinct Plan' with 'Development Framework' in clause BRI-S11.1.1.	Has been amended, but "South Brighton" has been kept in the Purpose statement to provide clarity and context.
2.20	Delete 'future' from clause BRI-S11.1.4	Done.
2.30	In clause BRI-S11.1.5, remove 'with higher density living', replace 'in close proximity' with 'close', replace 'open space' with 'public open space' and remove 'open space networks'.	Done.
2.4	Remove the first reference to 'environment' from clause BRI-S11.1.7.	Done.

3.0	<p>In clause BRI-S11.4, include definitions for:</p> <ul style="list-style-type: none"> • ‘Development Framework’ referencing Figure BRI-S11.2 <p>‘Shared path link’</p> <p>And restructure in alphabetical order.</p>	<p>Definitions included as per below:</p> <p>Development Framework</p> <p><i>means the South Brighton Specific Area Plan Development Framework shown in Figure BRI-S11.2.</i></p> <p>Shared path-link</p> <p><i>Means an area open to the public that is designated for the use of pedestrians, cyclists and other personal mobility device users and links different areas as shown in the Development Framework.</i></p>
3.1	<p>To provide consistency with draft amendment RZ-2023-004, change ‘on’ to ‘within’ within the definition of ‘Street tree’ in clause BRI-S11.4 and consider amending the definition to refer to Council’s Street Tree Policy.</p>	<p>Suggested changes made.</p> <p>Referring to Council’s “trees on Council Land” policy is not considered to provide any greater clarity for defining a “street tree” in the context of the SAP.</p>
3.2	<p>To provide consistency with draft amendment RZ-2023-004, change the definition for ‘Council Infrastructure’ in clause BRI-S11.4, by amending the text, as follows: ‘means infrastructure managed by Council including stormwater networks, footpaths, roads, streetlighting, landscaping, street trees and the like’.</p>	<p>Done.</p>

4.0	Remove ‘, or a home-based business’ from clause BRI-S11.7.1 A1 (a).	Done.
4.1	Remove ‘readily’ and ‘for urban purposes’ from clause BRI-S11.7.1 A1 (b).	Done.
4.2	Change ‘from an approved subdivision’ to ‘by a subdivision approved’ in clause BRI-S11.7.1 A1 (c).	Done.
5.0	Replace ‘safe access’ with ‘safe vehicular access’ in the clause BRI-S11.7.2 Objective.	Done.
5.1	Remove ‘ways’ from clause BRI-S11.7.2 A1.	Done.
6.0	Modify the Objective in clause BRI-S11.8.1 to include ‘shared pathways’.	Updated to “shared path links” to have reference to new Definition created at 3.0 above.
6.1	To provide consistency with draft amendment RZ-2023-004, consider whether the intent of clause BRI-S11.8.1 A1/P1 is to require discretionary assessment of existing trees, and if not, revise accordingly.	As has been amended to include “which may include an existing street tree” s that existing trees meeting the definition can avoid discretionary assessment.
6.2	Change clause BRI-S11.8.1 A2 by amending the text, as follows: ‘The subdivision does not include any public open space lots.’	Done.
6.3	Change ‘provides’ to ‘providing’ and ‘prevents’ to ‘preventing’ in clause BRI-S11.8.1P2.	Done.


7.0	<p>To provide consistency with draft amendment RZ-2023-004, change clause BRI-S11.8.2 A1 by amending the text, as follows:</p> <p>'No Acceptable Solution.</p>	Done.
7.1	<p>Change 'upgrades' to 'upgrading' in clause BRI-S11.8.2 P1.</p> <p>Redraft clause BRI-S11.8.2 P1 to ensure the required infrastructure is subjected to a merit-based assessment by the planning authority having regard to:</p> <ul style="list-style-type: none"> a. the demand the subdivision places on Council Infrastructure; b. any existing infrastructure; c. any upgrades to existing infrastructure that may be required; d. site conditions; and e. consistency with draft amendment RZ-2023-04. 	<p>The intent of this standard is to ensure Council Infrastructure is provided or upgraded along frontage of new lots where it is not currently non-existent or not up to standard and/or if Council has provided Council infrastructure that needs to be recouped under its Infrastructure Policy.</p> <p>The PC has been amended to include P1.1 and P1.2.</p> <p>P1.1 relates to situations where there is no Council Infrastructure, or it needs upgrading. The Commissions suggestions have been incorporated into P1.1.</p> <p>P1.2 relates to where Council Infrastructure has been provided by Council and its Infrastructure Policy has been utilised.</p> <p>There will potentially be applications where both P1.1. and P1.2 will be used for assessment. For example, Council may have upgraded the entirety of Dylan St and need to recoup funds under its Infrastructure Policy. But under the same application, internal infrastructure will need to be provided by the applicant.</p>

8.0	Include a reference to 'Precinct A' in the Objective and Acceptable Solution A1 of clause BRI-S11.8.3.1.	Done.
8.1	<p>Redraft clause BRI-S11.8.3.1 P1 as required to address the matters raised at the hearing.</p> <p>Please note that the clause should further the SAP Purpose and be consistent with relevant elements of the Development Framework.</p> <p>Please also note clause BRI-S12.8.1 A2/P2 of draft amendment RZ-2023-004 and redraft the clauses accordingly.</p>	<p>Council understands that the Commission has concerns that the wording of the PC is potentially too rigid and does not provide sufficient flexibility to depart from the Development Framework.</p> <p>The PC has been amended slightly to substitute “compatible” with “reasonably consistent”. This is considered to provide greater flexibility and a reasonableness test.</p> <p>However, if the Commission is seeking greater flexibility an example of alternative wording is provided below. This PC has been amended to “have regard to” the Development Framework and SAP Purpose which arguably increases the flexibility.</p> <p>Council is content with either outcome.</p> <p>P1</p> <p><i>The layout of lots, roads, public open space and pedestrian connections must provide an appropriate level of access, connectivity, safety and convenience for vehicles, pedestrians and cyclists, having regard to:</i></p> <ul style="list-style-type: none"> <i>a) the facilitation of high levels of vehicular and pedestrian connectivity in the subdivision and to open spaces and adjacent areas;</i> <i>b) the integration of landscaping into the road, pedestrian and open space network;</i> <i>c) avoid compromising the appropriate and reasonable future subdivision of the entirety of any balance lot or adjoining lot;</i>

		<p>d) <i>any natural hazards or other site conditions that constrain future development;</i></p> <p>e) <i>the topography of the site;</i></p> <p>f) <i>facilitating higher lot densities around existing dwellings and adjoining public open space;</i></p> <p>g) <i>the provision of the necessary road and service infrastructure;</i></p> <p>h) <i>any relevant Codes;</i></p> <p>i) <i>the Development Framework;</i></p> <p>j) <i>the purpose of the Specific Area Plan; and</i></p> <p>k) <i>any advice received from the road authority;</i></p>
8.2	<p>Consider redrafting clause BRI-S11.8.3.2 A1/P1 to address the matters discussed at the hearing, and specifically whether modification is required to cater for ‘first movers’.</p> <p>Note: any new AS should reference ‘Precinct A’.</p>	<p>The intent of this clause is to ensure that the entire catchment is considered when designing the stormwater system. It is not the intent of this clause to address the “first mover” principle, but it may assist.</p> <p>As per the Practice Note, a “have regard to” has been included to set out the matters that must be considered when exercising discretion.</p> <p>Responsibility for who prepares the catchment wide stormwater management plan (SMP) could be varied. For example:</p> <ul style="list-style-type: none"> • Option 1: Council prepares the initial stormwater management plan and approves it. • Option 2: An applicant prepares the initial stormwater management plan and requests Council approve it. • Option 3: Council and applicant co-design the stormwater management plan. <p>It is possible that there may be several “approved” SMPs as applications are received. The matters to be considered allow for Council to take a pragmatic approach to what stormwater infrastructure a “first mover” might have to install. For example, a first mover may provide a combination of a stormwater pipe to the existing</p>

		overland flowpath and a contribution towards the overland path to be piped when more development proceeds based on the approved stormwater management plan for the entire catchment.
9.0	Remove 'new' and 'that have higher densities' from the Objective of clause BRI-S11.8.4.1.	Done
9.1	Include 'Precinct B' within the Objective of clause BRI-S11.8.4.1.	Done.
9.2	Modify BRI-S11.8.4.1 A1 to reference 'Precinct B'.	Done.
10.0	Change clause BRI-S11.8.4.2 A1 by amending the text, as follows: 'No Acceptable Solution'	Done.
10.1	Remove 'abutting the Precinct' from clause BRI-S11.8.4.2 P1 (a) and replace 'linkages' with 'connections' in clause BRI-S11.8.4.2 P1 (c). Remove 'new' from BRI-S11.8.4.2 P1 (d). Include 'Development Framework' to the relevant matters in clause BRI-S11.8.4.2 P1.	Amended clause to make it "have regard to" for consistency as follows: The arrangement and construction of roads and shared path linkages in Precinct B must provide for vehicular and pedestrian connectivity having regard to: <ul style="list-style-type: none"> (a) connections to the existing roads along the northern and eastern boundary; (b) opportunities for passive surveillance and permeability along the boundary of 1 Elderslie Road; (c) connections through 33 Elderslie Rd and 69 Brighton Road; (d) provision for lots with frontage to Brighton Rd; and (e) the Development Framework.

DIRECTION 2 – Brighton Highway Services SAP		
1.0	<p>Review the drafting conventions and formatting of the SAP. Make any necessary minor corrections, such as formatting or punctuation, perhaps using the template. A word version is available by contacting the Commission.</p> <p>Also, please see Practice Note 5 and Practice Note 8 for guidance on the drafting conventions, technical drafting requirements and writing style of the SPPs.</p>	Done
2.0	Please provide GIS files in MapInfo or ArcInfo for the application of the Light Industrial Zone.	Will provide after the Easter break.
2.1	<p>Confirm whether the spatial extent of the area subject to the Brighton Highway Services SAP requires modification. Should this area be different to that certified, the planning authority is to provide GIS files in MapInfo or ArcInfo.</p> <p>If significant, any revisions should be supported by an explanation for the change.</p>	<p>At the Hearing, Mr Dourias queried the location of the zone boundary between the Light Industrial Zone and General Residential Zone (and the corresponding SAP boundaries).</p> <p>After reviewing Practice Note 7, which requires a zone boundary to follow the centreline of the road or a property boundary if possible. Given that these are not yet accurate, it seems that the appropriate location of the zone boundary should be roughly in the middle of what will be the share path-link reserve in the west and then follow the centre of the possible road reserve to the boundary of 15 Dylan St as per the image below:</p>

		 <p>It is Council's view that this change is not significant and the development outcomes are likely to be the same. However, it provides greater consistency with Practice Note 7.</p> <p>As noted above, the amended mapping will be sent to the Comission when it is received from the GIS consultants.</p>
3.0	Change 'control' to 'manage' and 'residential properties' to 'residential zones' in the clause BRI-S3.1.4.	Done
4.0	Remove clause BRI-S3.6.1 Noise, and renumber subsequent clauses accordingly.	Done
5.0	Remove clause BRI-S3.6.2 Dust, Smell, Fumes and Other Emissions, and renumber subsequent clauses accordingly.	Done

6.0	Remove references to “(excluding signage)” in clause BRI-S3.7.1 Setbacks A1/P1.	Done
7.0	<p>Consider redrafting clause BRI-S3.7.2 Design A2/P2 as required to more adequately respond to the stated objective.</p> <p>It is noted that the AS prescribes visual standards yet the PC requires consideration of both visual and acoustic impacts. To provide a direct correlation between the AS and corresponding PC, consideration should be given to prescribing these as separate matters in separate standards.</p>	<p>The Design clauses have been amended to provide greater consistency with the Design clause at 15.4.3 in the General Business Zone in the SPPs.</p> <p>An additional SAP purpose statement is proposed as the standard is more related to design and on-site amenity rather than managing off-site impacts on residential zones.</p>
8.0	<p>Change clause BRI-S3.7.5 Fencing A1 by amending the text, as follows:</p> <p>‘No Acceptable Solution.’</p> <p>It is also noted that the SPPs include exemptions for frontage fences. These exemptions need to be refenced via a footnote annotated in the Acceptable Solution (see clause 8.5.1 A4 of the SPPs for guidance).</p>	Done.
9.0	Change ‘compatible’ to ‘consistent’ in the Objective of clause BRI-S3.8.1 Lot design.	Done.
9.1	Remove references to ‘Local Area Objectives’ in clause BRI-S3.8.1 P2 and renumber subsequent clauses accordingly.	Done.

9.2	Change clause BRI-S3.8.1 P3 by amending the text, as follows: 'The frontage of each lot must be sufficient to accommodate development in accordance with the Specific Area Plan Purpose.'	Done.
9.3	Change 'point of entry and exit' to 'access' in clause BRI-S3.8.1 P4(e).	Done.

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 Framework .
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 public open space, open space networks , services and public transport.
BRI-S11.1.6	To provide a road network that: <ul style="list-style-type: none"> (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	<p>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:</p> <p>(b)(a) 8.0 General Residential Zone;</p> <p>(e)(b) 23.0 Environmental Management Zone; and</p> <p>(d)(c) C3.0 Road and Railway Assets Code.</p> <p>as specified in the relevant provision.</p>

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
Council infrastructure	means infrastructure managed by Council including stormwater networks, footpaths, roads, streetlighting, landscaping, street trees and the like.
Development Framework	means the South Brighton Specific Area Plan Development Framework shown in Figure BRI-S11.2.
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.
Shared path-link	Means an area open to the public that is designated for the use of pedestrians, cyclists and other personal mobility device users and links different areas as shown in the Development Framework.
Street tree	Means a tree that has the centreline of its trunk within a road reserve and grows to a minimum height of 3 m , metres .
Council infrastructure	means infrastructure managed by Council such as stormwater network, footpaths, road, streetlighting, landscaping, and the like.

Commented [DA1]: Should this just be roads, water, sewer and stormwater as these are the only things mentioned by the planning scheme?

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.

Objective:

That buildings and works do not prejudice the efficient future utilisation of land for urban development.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Buildings and works must:</p> <p>(b)(a) be for an addition to an existing dwelling, or a home-based business;</p> <p>(d)(b) be of a temporary nature able to be readily removed prior to the development of the land for urban purposes; or</p> <p>(f)(c) be on a lot, excluding a balance lot, that has been created from by an approved subdivision under this Specific Area Plan.</p>	<p>P1</p> <p>Buildings and works must not preclude or hinder the effective and efficient implementation of the Ddevelopment Fframework in Figure BRI-S11.2, having regard to:</p> <p>(b)(a) the topography of the site;</p> <p>(d)(b) any existing access arrangements;</p> <p>(f)(c) location of any services;</p> <p>(h)(d) the purpose, location and extent of any building and works; and</p> <p>any alternative subdivision layout that achieves the Specific Area Plan Purpose.</p> <p>(e)</p>

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.

Objective:	
To provide safe <u>vehicular</u> access to Brighton Road.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Access ways to Brighton Road must provide for vehicles to enter and exit the site in a forward direction.</p>	<p>P1</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> <p>(a) (a) any increase in traffic caused by the use;</p>

	<p>(b) (b) the nature of the traffic generated by the use;</p> <p>(c) (c) the nature of the road;</p> <p>(d) (d) the speed limit and traffic flow of the road;</p> <p>(e) (e) any alternative access to a road;</p> <p>(f) (f) the need for the use;</p> <p>(g) (g) any traffic impact assessment; and</p> <p>(h) any advice received from the rail or road authority.</p> <p>(h)</p>
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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.

Objective:	
To encourage safe and attractive landscaped roads, shared path-links and open space.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A minimum of Not less than one street tree must be provided along the frontage of a new lot, which may include an existing street tree, except for lots that are internal lots.</p>	<p>P1</p> <p>Street trees must be provided along the frontage of new lots, having regard to:</p> <ul style="list-style-type: none"> a) the width of lot frontages; b) location of infrastructure; c) the topography of the site;

<p>Each lot, or a lot proposed in a plan of subdivision, excluding for Utilities, must have existing Council Infrastructure. No Acceptable Solution.</p>	<p>The provision, and upgrad<u>inges</u> of Council infrastructure, must <u>be provided having regard to:</u></p> <p>_____</p> <p>(a) <u>the demand the subdivision places on Council infrastructure;</u></p> <p>(b) <u>the need for connecting Council infrastructure to common boundaries with adjoining land to facilitate future subdivision potential;</u></p> <p>(c) <u>any existing Council infrastructure;</u></p> <p>(d) <u>any upgrades to existing Council infrastructure that may be required;</u></p> <p>(e) <u>topography and other site conditions; and</u></p> <p>(f) <u>any advice from a State authority, regulated entity or a Council.</u></p> <p>a) Be provided entirely at the developer's expense; or</p> <p>a) An infrastructure contribution must be paid as specified in any Infrastructure Policy adopted by Council that is relevant to the land.</p> <p>P1.2</p> <p><u>Where Council Infrastructure has been provided by Council, an infrastructure contribution must be paid having regard to any Infrastructure Contribution policy that is relevant to the land.</u></p>
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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.

Objective:	
The subdivision layout <u>in Precinct A is reasonably is-consistentconsistent</u> with the purpose of the Specific Area Plan and the <u>Ddevelopment F</u> framework.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p>	<p>P1</p> <p>The layout of lots, roads, public open space and pedestrian connections must be compatible <u>reasonably consistent</u> with the purpose of the</p>

<p>(a) bBe required for public use by the Crown, a council or a State authority;</p> <p>(b) be required for the provision of Utilities; or</p> <p>(b) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p> <p>_____</p> <p><u>(c)</u></p>	<p>Specific Area Plan and the development framework in Figure BRI-S11.2Development Framework having regard to:</p> <p>(a)<u>(a)</u> the facilitation of high levels of vehicular and pedestrian connectivity in the subdivision and to open spaces and adjacent areas;</p> <p>(b)<u>(b)</u> the integration of landscaping into the road, pedestrian and open space network;</p> <p>(c)<u>(c)</u> avoid compromising the appropriate and reasonable future subdivision of the entirety of any balance lot or adjoining lot;</p> <p>(d)<u>(d)</u> any natural hazards or other site conditions that constrain future development;</p> <p>(e)<u>(e)</u> the topography of the site;</p> <p>(f)<u>(f)</u> facilitating higher lot densities around existing dwellings and adjoining public open space;</p> <p>(g)<u>(g)</u> the provision of the necessary road and service infrastructure;</p> <p>(h)<u>(h)</u> any relevant Codes; and</p> <p>(i)<u>(i)</u> any advice received from the road authority.</p> <p>_____</p> <p><u>(i)</u></p>
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BRI-S11.8.3.2 Stormwater – Precinct A

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

Objective:
That the subdivision of land provides for a public stormwater system for each catchment in Precinct A.

Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution	P1 The <u>arrangement and provision of the</u> stormwater system, <u>must be in accordance with an approved stormwater management plan for the relevant catchment(s) as shown in Figure BRI-S11.4, is to be designed in accordance with an approved stormwater management plan for relevant catchment(s) as shown in Figure BRI-S11.4</u> having regard to: a) <u>the existing and proposed stormwater system;</u> b) <u>potential staging of the stormwater system;</u> c) <u>maximising connectivity with the surrounding stormwater system to facilitate future subdivision potential;</u> d) <u>topography of the site;</u> e) <u>the future subdivision potential of any balance lots on adjoining or adjacent land;</u> and — <u>any advice from the stormwater authority.</u> f) <u>_____</u>

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.

Objective:	
To provide for <u>new</u> lots <u>that have higher densities</u> close to services, facilities and public transport corridors <u>in Precinct B.</u>	
Acceptable Solutions	Performance Criteria
A1 Each lot, or a lot proposed in a plan of subdivision, <u>in Precinct B</u> must:	P1 Each lot, or a lot proposed in a plan of subdivision, <u>in Precinct B</u> must have sufficient

(a) have an area of not less than the lot sizes specified in Table BRI-S11.9.1, and:

(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:

a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and

b. easements or other title restrictions that limit or restrict development; and

(ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; or

(b) be required for public use by the Crown, a council or a State authority;

(c) be required for the provision of Utilities; or
—be for the consolidation of a lot with another lot provided each lot is within the same zone.

(a) — have an area of not less than the lot sizes specified in Table BRI-S11.9.1 and:

(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:

a. — all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and

b. — easements or other title restrictions that limit or restrict development; and

(ii) — existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; or

useable area and dimensions suitable for its intended use, having regard to:

(a) (a) — the relevant requirements for development of buildings on the lots;

(b) (b) — the intended location of buildings on the lots;

(c) (c) — the topography of the site;

(d) (d) — the presence of any natural hazards;

(e) (e) — adequate provision of private open space; and

(f) (f) — the pattern of development existing on established properties in the area.

<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) (d) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p>	
<p>A2</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>P2</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>—</p> <p>(a) (a) the width of frontage proposed, if any;</p> <p>(b) (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) (c) the topography of the site;</p> <p>(d) (d) the functionality and useability of the frontage;</p> <p>(e) (e) the ability to manoeuvremaneuver vehicles on the site; and</p> <p>(f) (f) the pattern of development existing on established properties in the area,</p> <p>and is not less than 3.6m wide.</p>

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

Objective:	
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.	
Acceptable Solutions	Performance Criteria
<p>A1</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. No Acceptable Solution.</p>	<p>P1</p> <p>The arrangement and construction of roads, open space and pedestrian connections and shared path-links in Precinct B must provide for vehicular and pedestrian connectivity, having regard to: within Precinct B must include:</p> <p>(a) — connections to the existing roads abutting the Precinct along the northern and eastern boundary;</p> <p>(a) —</p> <p>(b) — provide opportunities for passive surveillance and permeability along the boundary of 1 Elderslie Road;</p> <p>(b) —</p> <p>Connections through 33 Elderslie Road and 69 Brighton Road.</p> <p>(c) — provide linkages through 33 Elderslie Rd and 69 Brighton Road; and</p> <p>(c) —</p> <p>(d) — provide for new lots with frontage to Brighton Rd; and</p> <p>(d) — the Development Framework.</p> <p>(e) —</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 ²	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 ²	12m	9m x 12m

*Not including any fee simple access strip

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

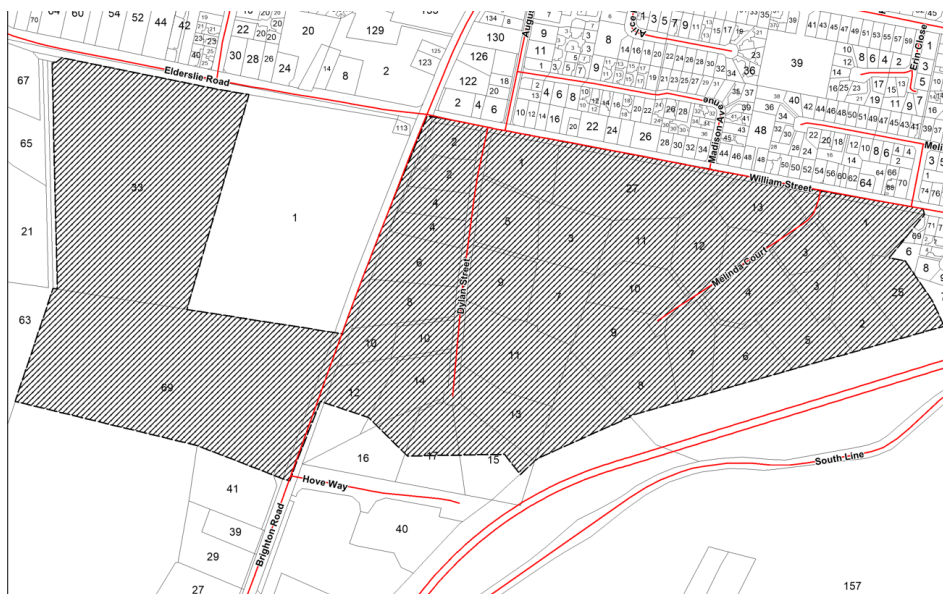


Figure BRI-S11.2 The South Brighton Specific Area Plan Development Framework

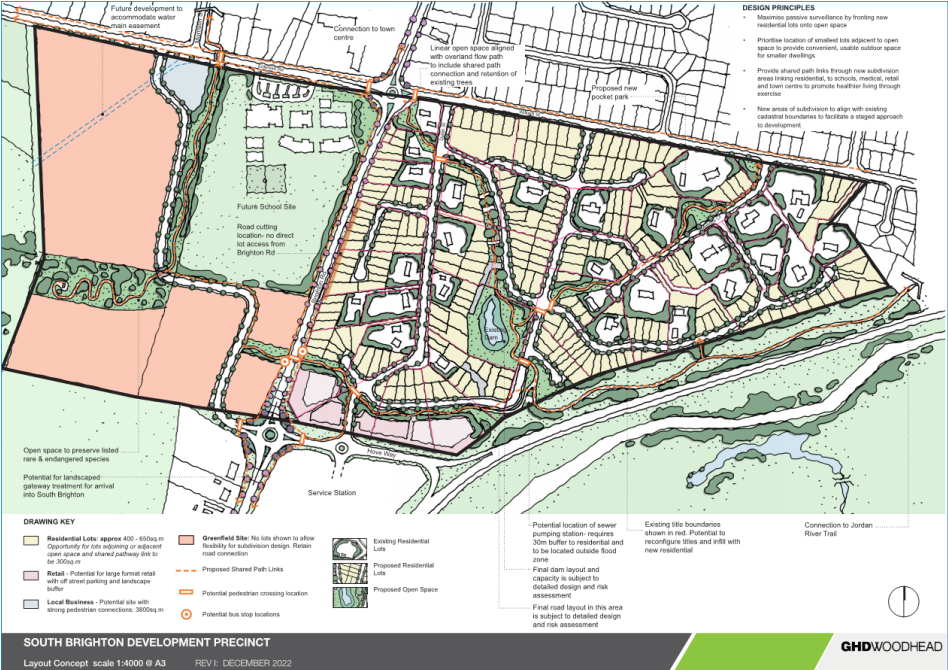


Figure BRI-S11.3 Precincts

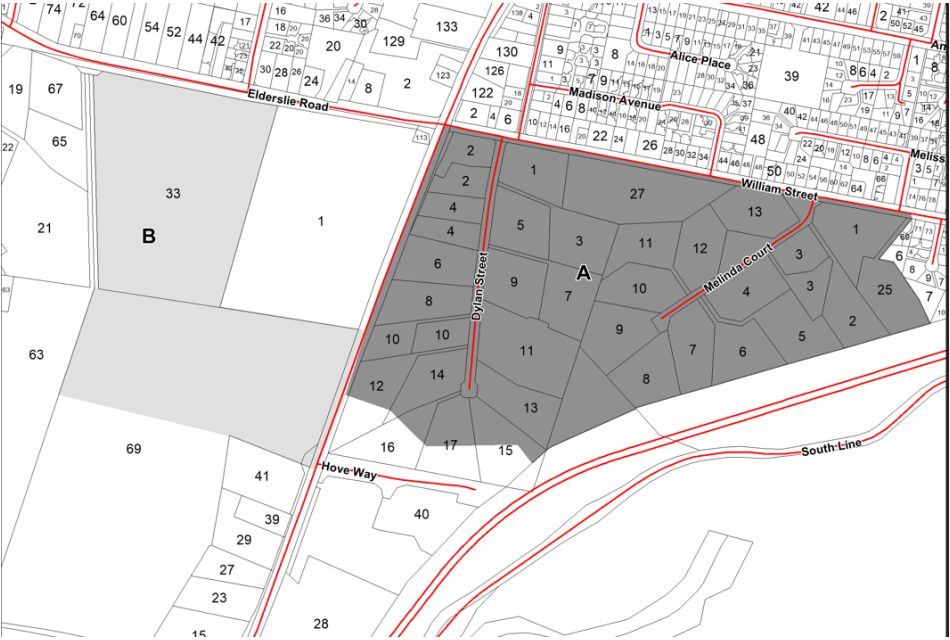
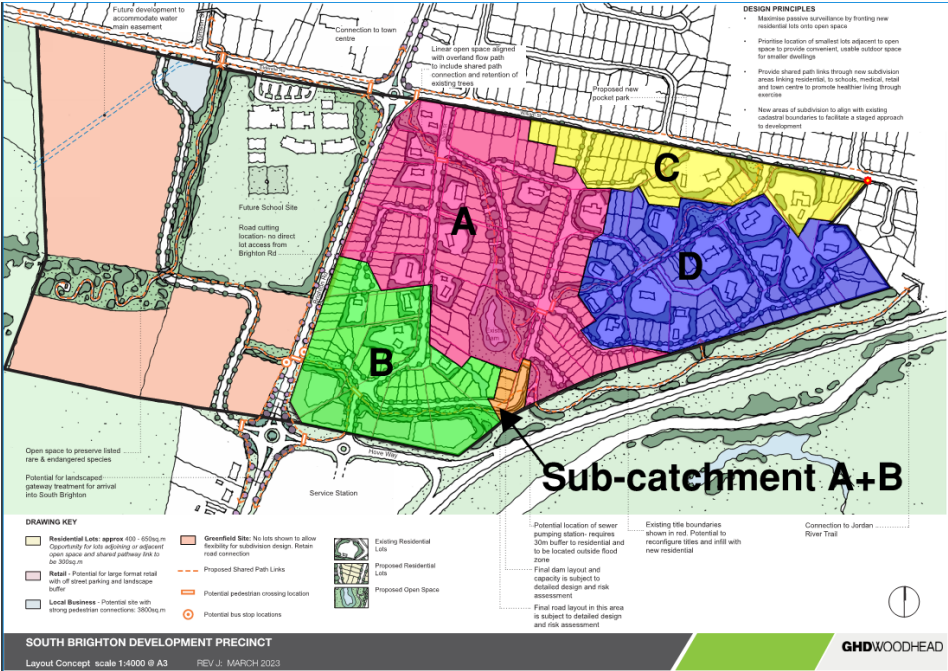


Figure BRI-S11.4 Stormwater catchments



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 Framework.
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 high school and open spaces.
BRI-S11.1.5	To provide a range of lot sizes close to public open space, services and public transport.
BRI-S11.1.6	To provide a road network that: <ul style="list-style-type: none"> (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 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: <ul style="list-style-type: none"> (a) 8.0 General Residential Zone; (b) 23.0 Environmental Management Zone; and (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
Council infrastructure	means infrastructure managed by Council including stormwater networks, footpaths, roads, streetlighting, landscaping, street trees and the like.
Development Framework	means the South Brighton Specific Area Plan Development Framework shown in Figure BRI-S11.2.
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.
Shared path-link	Means an area open to the public that is designated for the use of pedestrians, cyclists and other personal mobility device users and links different areas as shown in the Development Framework.
Street tree	Means a tree that has the centreline of its trunk within a road reserve and grows to a minimum height of 3m.

BRI-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.

Objective:	
That buildings and works do not prejudice the efficient future utilisation of land for urban development.	
Acceptable Solutions	Performance Criteria
A1 Buildings and works must: <ul style="list-style-type: none"> (a) be for an addition to an existing dwelling; (b) be of a temporary nature able to be removed prior to the development of the land; or 	P1 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"> (a) the topography of the site; (b) any existing access arrangements;

(c) be on a lot, excluding a balance lot, that has been created by an approved subdivision under this Specific Area Plan.	(c) location of any services; (d) the purpose, location and extent of any building and works; and (e) any alternative subdivision layout that achieves the Specific Area Plan Purpose.
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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.

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

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.

Objective:	
To encourage safe and attractive landscaped roads, shared path-links and open space.	
Acceptable Solutions	Performance Criteria
A1	P1

Not less than one street tree must be provided along the frontage of a new lot, which may include an existing street tree, except for internal lots.	<p>Street trees must be provided along the frontage of new lots, having regard to:</p> <ul style="list-style-type: none"> a) the width of lot frontages; b) location of infrastructure; c) the topography of the site; d) the safety and efficiency of the road network; e) the nature of the road; and f) existing vegetation that can be retained.
<p>A2</p> <p>The subdivision does not include any open space lots.</p>	<p>P2</p> <p>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"> a) enhancement of the open space or shared path link area b) providing a range of plant heights and forms to create diversity, interest and amenity; c) preventing the creation of concealed entrapment spaces; d) removal of existing invasive weed species; and e) any advice from a suitably qualified person.

BRI-S11.8.2 Infrastructure provision

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

Objective:	
<p>That:</p> <ul style="list-style-type: none"> (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 (b) developer contributions are made towards the cost and provision of infrastructure in accordance with the relevant Policy adopted by the Council. 	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>No Acceptable Solution.</p>	<p>P1.1</p> <p>The provision, and upgrading of Council infrastructure, must be provided having regard to:</p> <ul style="list-style-type: none"> (a) the demand the subdivision places on Council infrastructure;

	<p>(b) the need for connecting Council infrastructure to common boundaries with adjoining land to facilitate future subdivision potential;</p> <p>(c) any existing Council infrastructure;</p> <p>(d) any upgrades to existing Council infrastructure that may be required;</p> <p>(e) topography and other site conditions; and</p> <p>(f) any advice from a State authority, regulated entity or a Council.</p> <p>P1.2</p> <p>Where Council Infrastructure has been provided by Council, an infrastructure contribution must be paid having regard to any Infrastructure Contribution policy that is relevant to the land.</p>
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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.

Objective:	
The subdivision layout in Precinct A is reasonably consistent with the purpose of the Specific Area Plan and the Development Framework.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must:</p> <ul style="list-style-type: none"> (a) be required for public use by the Crown, a council or a State authority; (b) be required for the provision of Utilities; or (c) be for the consolidation of a lot with another lot provided each lot is within the same zone. 	<p>P1</p> <p>The layout of lots, roads, public open space and pedestrian connections must be reasonably consistent with the purpose of the Specific Area Plan and the Development Framework having regard to:</p> <ul style="list-style-type: none"> (a) the facilitation of high levels of vehicular and pedestrian connectivity in the subdivision and to open spaces and adjacent areas; (b) the integration of landscaping into the road, pedestrian and open space network; (c) avoid compromising the appropriate and reasonable future subdivision of the entirety of any balance lot or adjoining lot; (d) any natural hazards or other site conditions that constrain future development; (e) the topography of the site;

	<ul style="list-style-type: none"> (f) facilitating higher lot densities around existing dwellings and adjoining public open space; (g) the provision of the necessary road and service infrastructure; (h) any relevant Codes; and (i) any advice received from the road authority.
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BRI-S11.8.3.2 Stormwater – Precinct A

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

Objective:	
That the subdivision of land provides for a public stormwater system for each catchment in Precinct A.	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution	P1 The arrangement and provision of the stormwater system, must be in accordance with an approved stormwater management plan for the relevant catchment(s) as shown in Figure BRI-S11.4, having regard to: <ul style="list-style-type: none"> a) the existing and proposed stormwater system; b) potential staging of the stormwater system; c) maximising connectivity with the surrounding stormwater system to facilitate future subdivision potential; d) topography of the site; e) the future subdivision potential of any balance lots on adjoining or adjacent land; and f) any advice from the stormwater authority.

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.

Objective:
To provide for lots close to services, facilities and public transport corridors in Precinct B.

Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, in Precinct B must:</p> <ul style="list-style-type: none"> (a) have an area of not less than the lots sizes specified in Table BRI-S11.9.1, and: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> a. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and b. easements or other title restrictions that limit or restrict development; and (ii) existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; or (b) be required for public use by the Crown, a council or a State authority; (c) be required for the provision of Utilities; or (d) be for the consolidation of a lot with another lot provided each lot is within the same zone. 	<p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, in Precinct B must have sufficient useable area and dimensions suitable for its intended use, having regard to:</p> <ul style="list-style-type: none"> (a) the relevant requirements for development of buildings on the lots; (b) the intended location of buildings on the lots; (c) the topography of the site; (d) the presence of any natural hazards; (e) adequate provision of private open space; and (f) the pattern of development existing on established properties in the area.
<p>A2</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>P2</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> <ul style="list-style-type: none"> (a) the width of frontage proposed, if any; (b) the number of other lots which have the land subject to the right of carriageway as their sole or principal means of access; (c) the topography of the site; (d) the functionality and useability of the frontage; (e) the ability to maneuver vehicles on the site; and

	(f) the pattern of development existing on established properties in the area, and is not less than 3.6m wide.
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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.

Objective:	
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.	
Acceptable Solutions	Performance Criteria
A1 No Acceptable Solution.	P1 The arrangement and construction of roads and shared path-links in Precinct B must provide for vehicular and pedestrian connectivity, having regard to: <ul style="list-style-type: none"> (a) connections to the existing roads along the northern and eastern boundary; (b) opportunities for passive surveillance and permeability along the boundary of 1 Elderslie Road; (c) Connections through 33 Elderslie Road and 69 Brighton Road. (d) provision for lots with frontage to Brighton Rd; and (e) the Development Framework.

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 ²	12m	10m x 15m
Lots adjoining or opposite public open space, or	350m ²	12m	9m x 12m

<p>Lots within 400m of a public transport corridor,</p> <p>or</p> <p>Lots within 200m walking distance of a business zone, local shop or school.</p>			
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**Not including any fee simple access strip*

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

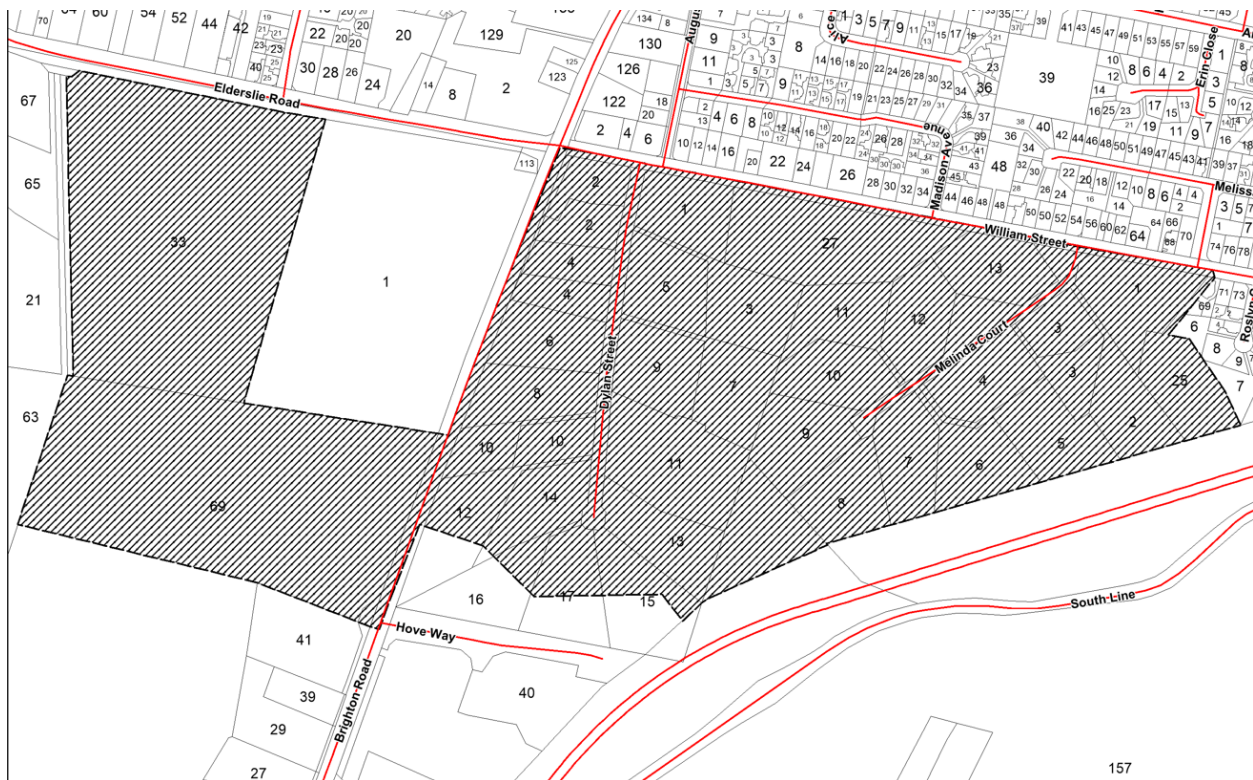


Figure BRI-S11.2 The South Brighton Specific Area Plan Development Framework

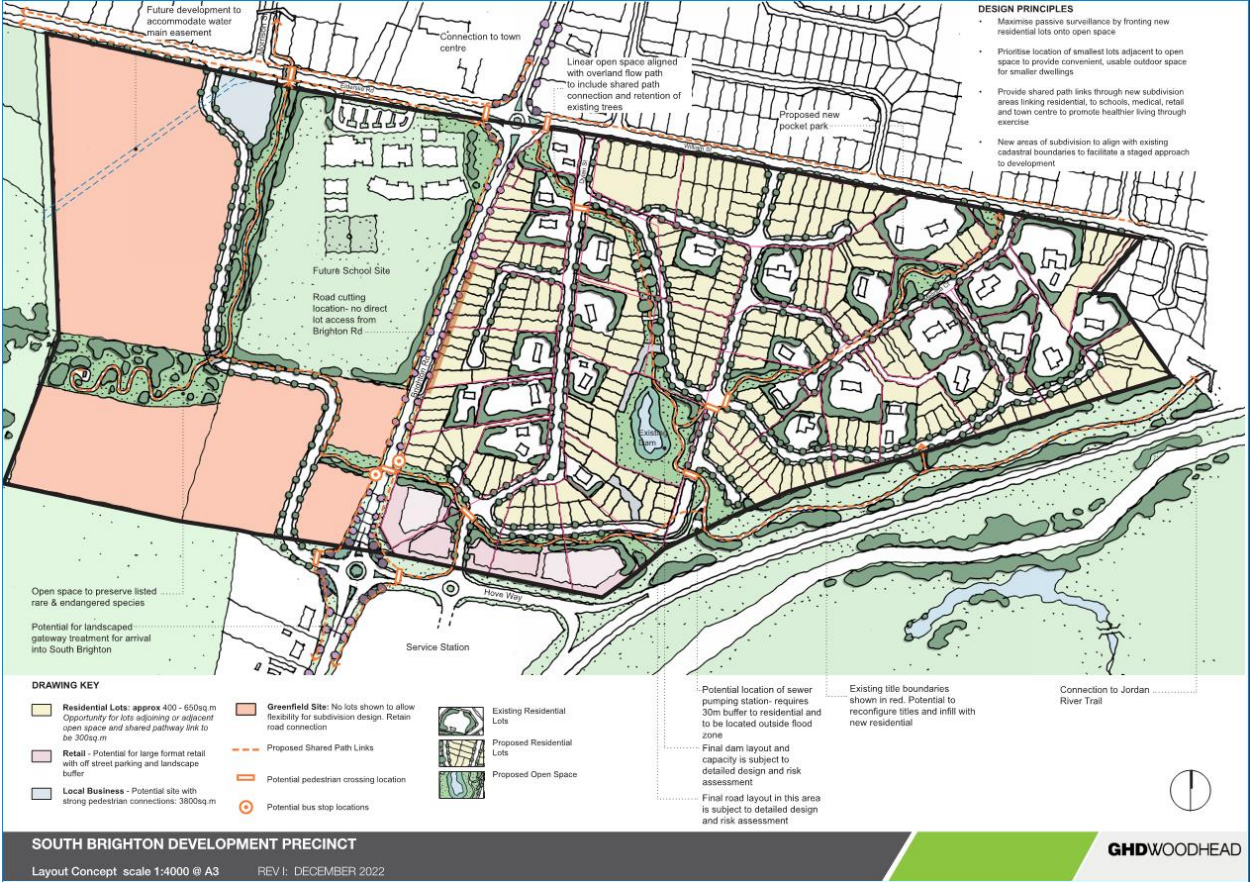
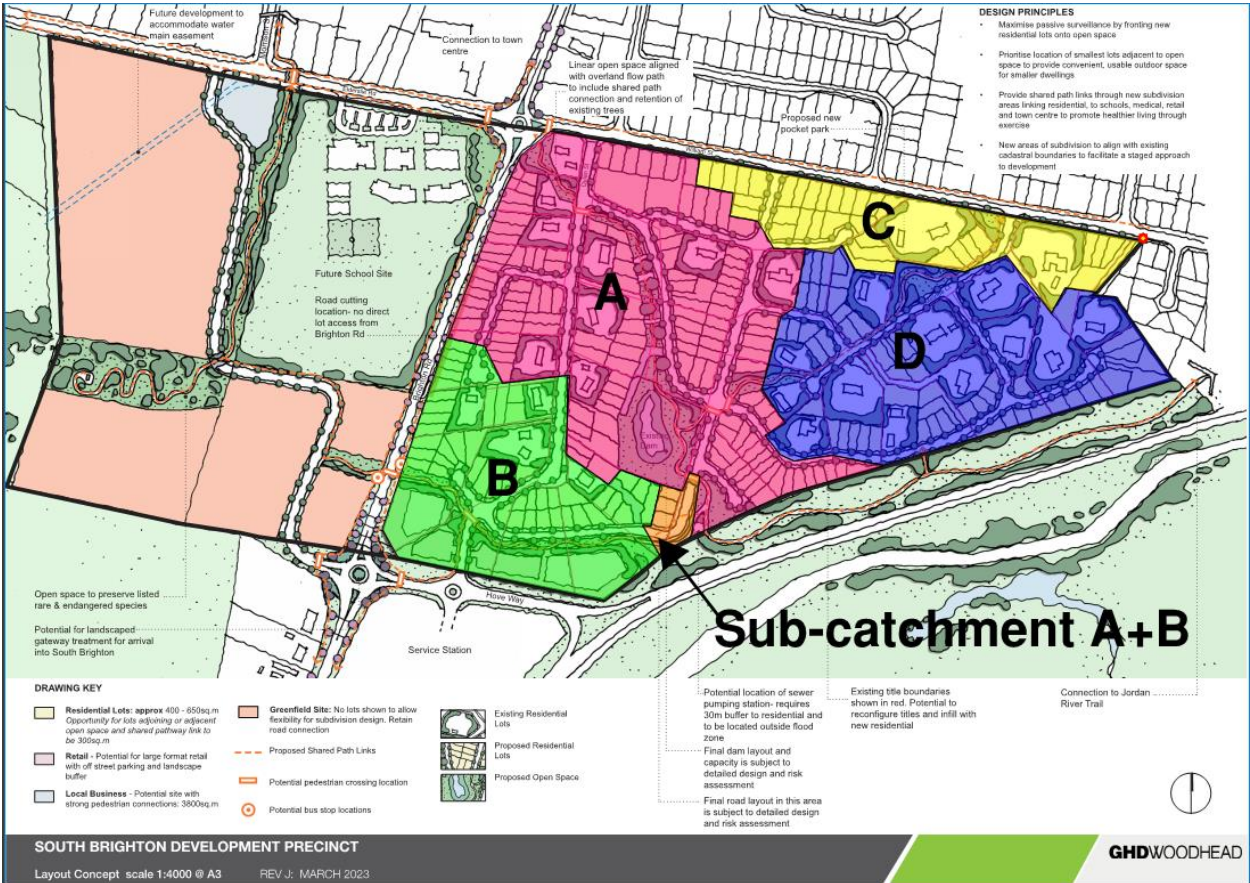


Figure BRI-S11.3 Precincts



Figure BRI-S11.4 Stormwater catchments



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~~ manage potential off-site amenity impacts on surrounding residential ~~properties~~ zones.
- BRI-S3.1.5 To encourage building design that positively contributes to public places.

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 ina substitution for Light Industrial Zone – clause 18.2 Use Table

Use Class	Qualification
No Permit Required	
Natural and cultural values management	
Passive Recreation	

Utilities	If minor utilities
Permitted	
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	
Discretionary	
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
Prohibited	
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.	
Acceptable Solutions		Performance Criteria
A1		P1

<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>— 65dB(A) (LAmx) 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>Noise emissions measured at the boundary of a residential zone must not cause environmental harm within a residential zone.</p>
<p>A2</p> <p>External amplified loud speakers or music must not be used within 50m of a residential zone.</p>	<p>P2</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.

Objective:	Dust, smell, fumes and other emissions do not cause environmental harm and do not have unreasonable impact on residential amenity on land within a residential zone.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>A use must not emit dust or other particles, smell or fumes beyond the boundaries of its site.</p>	<p>P1</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>(-) the hours of operation;</p> <p>(-) the frequency of the emission;</p> <p>(-) 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>(-) whether the emission contains any harmful substance; and</p> <p>(-) whether surrounding land contains uses with similar emissions.</p>
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BRI-S3.6.13 Discretionary uses

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

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

BRI-S3.7 Development Standards for Buildings and Works

BRI-S3.7.1 Setback

This clause is ina substitution for Light Industrial Zone – clause 18.4.2 Setbacks A1 and 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.	
Acceptable Solutions		Performance Criteria
A1 Building setback (excluding signage) from a frontage must be no less than: <ul style="list-style-type: none"> (a) 15m to Brighton Road; (b) 20m to Midland Highway; and (c) 10m to a road in, or adjoining, a residential zone. 		P1 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: <ul style="list-style-type: none"> (a) the setback of adjoining buildings;

	<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>
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BRI-S3.7.2 Design

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

Objective:	<p><u>That building façades promote and maintain high levels of pedestrian interaction, amenity, and safety and contribute positively to the streetscape and public places.</u></p> <p>That building design contributes positively to the streetscape, the amenity and safety of the public and adjoining land in a residential zone.</p>
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>(a) New buildings or alterations to an existing façade must be designed to satisfy all of the following: Building design must address the street, having regard to:</p> <p>(b)(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) if for a ground floor level façade facing a frontage:</p> <p>(i) have not less than 30% of the total surface area consisting of windows or doorways; or</p> <p>(c)(ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 30%; provide windows and door openings at ground floor level in the front façade no less than 30% of the surface area; be coloured using colours with a light</p>	<p>P1</p> <p>New buildings or alterations to an existing façade must be designed to contribute positively to the streetscape and public places having regard to: Building design must enhance the streetscape, having regard to:</p> <p>(–) how the main pedestrian access to the building addresses the street, internal areas of pedestrian or vehicular movement or other public places; provide main accesses to buildings in a way that addresses the street or internal areas of pedestrian and vehicular movement;</p> <p>(a)</p> <p>(b) windows on the façade facing the frontage for visual interest and passive surveillance of public spaces;</p> <p>(c) architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces; and</p> <p>(d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical;</p> <p>provide windows in the front façade in a way that enhances the streetscape and provides for passive surveillance of public spaces;</p>

<p><u>reflectance value not more than 40%; and</u></p> <p><u>(c) if for a ground floor level façade facing a frontage must:</u></p> <p>(i) <u>not include a single length of blank wall greater than 30% of the length of façade on that frontage; or</u></p> <p>(ii) <u>not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on the frontage.</u></p> <p>(d) any single expanse of blank wall in the ground level front façade and facades facing other public spaces does not exceed 20m²;</p> <p>(e) 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;</p> <p>(f) incorporate roof top service infrastructure, including service plants and lift structures, within the design of the roof; and</p> <p>(g) not include security shutters over windows or doors with a frontage to a street or public place.</p>	<p>(b) 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;</p> <p>(c) 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</p> <p>(d) roof top service infrastructure, including service plants and lift structures, is screened so as to have insignificant visual impact;</p>
<p>A2</p> <p><u>Exterior building finishes on land adjoining and facing a residential zone must:</u></p> <p>(a) be coloured using colours with a light reflectance value not more than 40%; and;</p> <p><u>not have any single expanse of blank wall that exceeds 20m²;A2</u></p> <p><u>New buildings must be designed to satisfy all of the following:</u></p> <p>(a) <u>mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places;</u></p> <p>(b) <u>roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof;</u></p>	<p>P2</p> <p><u>Exterior building finishes on land adjoining a residential zone must:</u></p> <p>(a) be coloured in muted tones; and 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.P2</p> <p><u>New buildings must be designed to be compatible with the streetscape, having regard to:</u></p> <p>(a) <u>minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places;</u></p>

<u>(c) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; and</u>	<u>(b) minimising the visual impact of security shutters or grilles and roof-top service infrastructure, including lift structures; and</u>
<u>(a)(d) provide external lighting to illuminate external vehicle parking areas and pathways.</u>	<u>(a)(c) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.</u>

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.
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>Building design must:</p> <ul style="list-style-type: none"> (a) provide the main entrance or entrances to a building so that they are clearly visible from the street and well-lit at night; (b) provide windows with clear glazing no less than the following: <ul style="list-style-type: none"> (i) 40% of the facade of walls that front a street; (ii) 30% of the facade of walls that face public space or a car park for the building; (c) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (d) provide external lighting to illuminate car parking areas and pathways; and (e) provide well-lit public access at the ground floor level from any external car park. 	<p>P1</p> <p>Building design must provide for passive surveillance of public spaces, having regard to:</p> <ul style="list-style-type: none"> (a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces; (b) locate windows to adequately overlook the street and adjoining public spaces; (c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa; <u>vice versa</u>; (d) locate external lighting to illuminate any entrapment spaces around the building site; (e) provide external lighting to illuminate car parking areas and pathways; (f) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces; and (g) provide for sight lines to other buildings and public spaces.

BRI-S3.7.4 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
A1 Along a boundary with a residential zone landscaping must be provided for a depth no less than 5m.	P1 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: <ul style="list-style-type: none"> (a) the characteristics of the site; and (b) the characteristics of the adjoining residentially-zones land.

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
A1 Fencing and gates must: (b) not be erected within 10m of the frontage if greater in height than 1.5m; and (e)(a) e 50% transparent above a height of 1.2m if along a frontage; No Acceptable Solution¹	P1 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: <ul style="list-style-type: none"> (a) the height of the fence; (b) the degree of transparency of the fence; (c) the location and extent of the fence; (d) the design of the fence; (e) the fence materials and construction; (f) the nature of the use; and (g) the characteristics of the site, the streetscape and the locality, including fences;

BRI-S3.7.6 Bowsers and Fuel Tanks

¹ An exemption applies for fences in the underlying zone – see Table 4.6

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

Objective:	That siting of bowzers and fuel tanks do not unreasonable adverse impact on residential amenity of land in a residential zone.
Acceptable Solutions	Performance Criteria
A1 Bowzers 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.	P1 Bowzers 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 [ina](#) 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 <u>consistent</u> with the Specific Area Plan Purpose.
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 The size of each lot must be sufficient to accommodate development compatible with the Specific Area Plan Purpose.
A2 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: <ul style="list-style-type: none"> (a) frontage, side and rear boundary setbacks required by clause BRI-S3.7.2 A1 & A2; and (b) easements or other title restrictions that would limit or restrict the development of a commercial building. 	P2 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: <ul style="list-style-type: none"> (a) the Specific Area Plan Purpose; (b) any Local Area Objectives; (c)<u>(b)</u> n-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>(d)(c)</p> <p>he need for earth works, retaining walls, and cut & fill associated with future development.</p>
<p>A3</p> <p>The frontage for each lot must be no less than 25m.</p>	<p>P3</p> <p><u>The frontage of each lot must be sufficient to accommodate development in accordance with the Specific Area Plan Purpose.</u>The frontage of each lot must be sufficient to accommodate development having regard to:</p> <p>(-) the Specific Area Plan Purpose;</p> <p>(-) any Local Area Objectives;</p>
<p>A4</p> <p>No Acceptable Solution.</p>	<p>P4</p> <p>The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, pedestrians and cyclists, having regard to:</p> <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> <p>(e) provision of a single <u>point of entry and exit access</u> for all land within the Specific Area Plan to both Brighton Road and Midland Highway.</p>

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 manage potential off-site amenity impacts on surrounding residential zones.
- BRI-S3.1.5 To encourage building design that positively contributes to public places.

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,
 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 in substitution for Light Industrial Zone – clause 18.2 Use Table

Use Class	Qualification
No Permit Required	
Natural and cultural values management	
Passive Recreation	

Utilities	If minor utilities
Permitted	
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	
Discretionary	
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
Prohibited	
All other uses	

BRI-S3.6 Use Standards

BRI-S3.6.1 Discretionary uses

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

Objective:	That uses listed as Discretionary do not compromise or distort the activity centre hierarchy.	
Acceptable Solutions		Performance Criteria
A1		P1

No Acceptable Solution.	<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"> (a) the characteristics of the site; (b) the size and scale of the proposed use; (c) the function of the activity centre and the surrounding activity centres; and (d) the extent that the proposed use impacts on the other activity centres.
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BRI-S3.7 Development Standards for Buildings and Works

BRI-S3.7.1 Setback

This clause is in substitution for Light Industrial Zone – clause 18.4.2 Setbacks A1 and 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.	
Acceptable Solutions		Performance Criteria
A1 Building setback from a frontage must be no less than: <ul style="list-style-type: none"> (a) 15m to Brighton Road; (b) 20m to Midland Highway; and (c) 10m to a road in, or adjoining, a residential zone. 		P1 Building setback from frontage contribute positively to the streetscape and not result in unreasonable impact on residential amenity of land in a residential zone, having regard to: <ul style="list-style-type: none"> (a) the setback of adjoining buildings; (b) maintaining a continuous building line if evident in the streetscape; (c) the characteristics of the site, adjoining properties and the streetscape; and (d) opportunity for parking.

BRI-S3.7.2 Design

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

Objective:	That building façades promote and maintain high levels of pedestrian interaction, amenity, and safety and contribute positively to the streetscape and public places.	
Acceptable Solutions		Performance Criteria
A1		P1

<p>New buildings or alterations to an existing façade must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> (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; (b) if for a ground floor level façade facing a frontage: <ul style="list-style-type: none"> (i) have not less than 30% of the total surface area consisting of windows or doorways; or (ii) not reduce the surface area of windows or doorways of an existing building, if the surface area is already less than 30%; be coloured using colours with a light reflectance value not more than 40%; and (c) if for a ground floor level façade facing a frontage must: <ul style="list-style-type: none"> (i) not include a single length of blank wall greater than 30% of the length of façade on that frontage; or (ii) not increase the length of an existing blank wall, if already greater than 30% of the length of the façade on the frontage. 	<p>New buildings or alterations to an existing façade must be designed to contribute positively to the streetscape and public places having regard to:</p> <ul style="list-style-type: none"> (a) how the main pedestrian access to the building addresses the street, internal areas of pedestrian or vehicular movement or other public places; (b) windows on the façade facing the frontage for visual interest and passive surveillance of public spaces; (c) architectural detail or public art on large expanses of blank walls on the façade facing the frontage and other public spaces so as to contribute positively to the streetscape and public spaces; and (d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if essential for the security of the premises and any other alternatives are not practical;
<p>A2</p> <p>New buildings must be designed to satisfy all of the following:</p> <ul style="list-style-type: none"> (a) mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, must be screened from the street and other public places; (b) roof-top mechanical plant and service infrastructure, including lift structures, must be contained within the roof; 	<p>P2</p> <p>New buildings must be designed to be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) minimising the visual impact of mechanical plant and other service infrastructure, such as heat pumps, air conditioning units, switchboards, hot water units and the like, when viewed from the street or other public places; (b) minimising the visual impact of security shutters or grilles and roof-top service infrastructure, including lift structures; and

(c) not include security shutters or grilles over windows or doors on a façade facing the frontage or other public places; and (d) provide external lighting to illuminate external vehicle parking areas and pathways.	(c) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users.
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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.	
Acceptable Solutions		Performance Criteria
A1 Building design must: <ul style="list-style-type: none"> (a) provide the main entrance or entrances to a building so that they are clearly visible from the street and well-lit at night; (b) provide windows with clear glazing no less than the following: <ul style="list-style-type: none"> (i) 40% of the facade of walls that front a street; (ii) 30% of the facade of walls that face public space or a car park for the building; (c) avoid creating entrapment spaces around the building site, such as concealed alcoves near public spaces; (d) provide external lighting to illuminate car parking areas and pathways; and (e) provide well-lit public access at the ground floor level from any external car park. 		P1 Building design must provide for passive surveillance of public spaces, having regard to: <ul style="list-style-type: none"> (a) provide the main entrance or entrances to a building so that they are clearly visible from nearby buildings and public spaces; (b) locate windows to adequately overlook the street and adjoining public spaces; (c) incorporate shop front windows and doors for ground floor shops and offices, so that pedestrians can see into the building and vice versa; (d) locate external lighting to illuminate any entrapment spaces around the building site; (e) provide external lighting to illuminate car parking areas and pathways; (f) design and locate public access to provide high visibility for users and provide clear sight lines between the entrance and adjacent properties and public spaces; and (g) provide for sight lines to other buildings and public spaces.

BRI-S3.7.4 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
A1 Along a boundary with a residential zone landscaping must be provided for a depth no less than 5m.	P1 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: <ul style="list-style-type: none"> (a) the characteristics of the site; and (b) the characteristics of the adjoining residentially-zones land.

BRI-S3.7.5 Fencing

This clause is in 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
A1 (a) No Acceptable Solution ¹	P1 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: <ul style="list-style-type: none"> (a) the height of the fence; (b) the degree of transparency of the fence; (c) the location and extent of the fence; (d) the design of the fence; (e) the fence materials and construction; (f) the nature of the use; and (g) the characteristics of the site, the streetscape and the locality, including fences;

BRI-S3.7.6 Bowsers and Fuel Tanks

¹ An exemption applies for fences in the underlying zone – see Table 4.6

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

Objective:	That siting of bowzers and fuel tanks do not unreasonable adverse impact on residential amenity of land in a residential zone.
Acceptable Solutions	Performance Criteria
A1 Bowzers 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.	P1 Bowzers 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 in 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 consistent with the Specific Area Plan Purpose.
Acceptable Solutions	Performance Criteria
A1 No acceptable solution.	P1 The size of each lot must be sufficient to accommodate development compatible with the Specific Area Plan Purpose.
A2 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: <ul style="list-style-type: none"> (a) frontage, side and rear boundary setbacks required by clause BRI-S3.7.2 A1 & A2; and (b) easements or other title restrictions that would limit or restrict the development of a commercial building. 	P2 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: <ul style="list-style-type: none"> (a) the Specific Area Plan Purpose; (b) 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 (c) the need for earth works, retaining walls, and cut & fill associated with future development.
A3	P3

<p>The frontage for each lot must be no less than 25m.</p>	<p>The frontage of each lot must be sufficient to accommodate development in accordance with the Specific Area Plan Purpose.</p>
<p>A4</p> <p>No Acceptable Solution.</p>	<p>P4</p> <p>The arrangement and construction of roads within a subdivision must provide an appropriate level of access, connectivity, safety, convenience and legibility for vehicles, pedestrians and cyclists, having regard to:</p> <ul style="list-style-type: none"> (a) the Specific Area Plan Purpose; (b) any relevant road network plan adopted by the Planning Authority; (c) facilitating the potential of subdivision of adjoining land; (d) maximising levels of access, safety, convenience and legibility having regard to a road function hierarchy; and (e) provision of a single access for all land within the Specific Area Plan to both Brighton Road and Midland Highway.

BRI-S3.9 Tables

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