



Brighton Council

**EXTRACT OF MINUTES OF THE ORDINARY COUNCIL MEETING
OF THE BRIGHTON COUNCIL HELD IN THE
COUNCIL CHAMBERS, COUNCIL OFFICES, OLD BEACH
AT 5.30 P.M. ON TUESDAY,
19th JANUARY 2021**

PRESENT: Cr Foster (Mayor); Cr Curran (Deputy Mayor); Cr Garlick;
Cr Geard; Cr Gray; Cr Jeffries; Cr Murtagh; Cr Owen and
Cr Whelan.

IN ATTENDANCE: Mr J Dryburgh (General Manager); Mrs J Banks
(Governance Manager); Mr D Allingham (Manager
Development Services); Mrs G Browne (Corporate
Executive) and Mr P Carroll (Senior Planner).

1. ACKNOWLEDGEMENT OF COUNTRY:

2. CONFIRMATION OF MINUTES:

**2.1 CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING
OF 15 DECEMBER 2020:**

*Cr Jeffries moved, Cr Geard seconded that the Minutes of the Ordinary Council meeting of
15th December 2020, be confirmed.*

CARRIED

VOTING RECORD

In favour	Against
------------------	----------------

Cr Curran	
Cr Foster	
Cr Garlick	
Cr Geard	
Cr Gray	
Cr Jeffries	
Cr Murtagh	
Cr Owen	
Cr Whelan	

3. APPLICATIONS FOR LEAVE OF ABSENCE:

All members were present.

4. PUBLIC QUESTION TIME AND DEPUTATIONS:

- * Ms Banks addressed Council in relation to Council's policy on kennel licences and the impending application and process for Boarding Kennels in Tea Tree.

5. DECLARATION OF INTEREST:

In accordance with Part 5, Section 48 of the *Local Government Act 1993*, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have an interest in any item on the agenda; and

Part 2 Regulation 8 (7) of the Local Government (Meeting Procedures) Regulations 2015, the Chairman of a meeting is to request Councillors to indicate whether they have, or are likely to have, a pecuniary interest in any item on the agenda.

Accordingly, Councillors are requested to advise of any interest they may have in respect to any matter appearing on the agenda, or any supplementary item to the agenda, which the Council has resolved to deal with, in accordance with Part 2 Regulation 8 (6) of the Local Government (Meeting Procedures) Regulations 2015.

There were no declarations of interest

11. COUNCIL ACTING AS PLANNING AUTHORITY:

In accordance with the provisions of Part 2 Regulation 25 of the Local Government (Meeting Procedures) Regulations 2015, the intention of the Council to act as a Planning Authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted. In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under Item 11 on this agenda, inclusive of any supplementary items.

11.4 SOUTHERN TASMANIA REGIONAL LAND USE STRATEGY – EXTENSION OF URBAN GROWTH BOUNDARY AT 69 BRIGHTON ROAD, BRIGHTON:

Type of Report	Planning Authority
Address:	69 Brighton Road, Brighton
Requested by:	Brighton Council
Proposal:	Amend the Regional Land Use Strategy to extend the Urban growth Boundary over part of 69 Brighton Road
Zone:	Rural Resource Zone

Author: Manager Development Services (David Allingham) & Senior Planner (Patrick Carroll)

1. Executive Summary

- 1.1. The purpose of this report is to consider a request to amend the Southern Tasmanian Regional Land Use Strategy (STRLUS) 2010-2035 to extend the Urban Growth Boundary (UGB) the part of 69 Brighton Road that is not covered by the Attenuation Area overlay (approximately 11.27ha).
- 1.2. Largely, the request is a result of the Department of Education (DoE) compulsorily acquiring 10ha of General Residential zoned land at 33 Elderslie Road that was earmarked for residential development for a new Brighton High School
- 1.3. The existing Jordan River Learning Federation (JRLF) school farm site was Council's preferred site for the new Brighton High School as it was already owned by DoE and all other proposed sites were needed to accommodate residential or recreation growth for the municipality.
- 1.4. STRLUS and the UGB has not had a significant review since it was first gazetted in 2011. In the subsequent 10 years, rapid growth has put significant pressure on land supply in the municipality, particularly in Brighton.
- 1.5. State treasury has forecast that the Brighton municipality is predicted to be the fastest growing municipality in Tasmania to 2032 with most of the growth to be located within Brighton. The loss of 10ha of general residential land puts significant pressure on land supply in the Brighton township.
- 1.6. A land supply analysis predicts that all remaining infill development opportunities will need to be completed to accommodate the growth, which is unrealistic.
- 1.7. The extension of the UGB over 11.27ha over 69 Brighton Rd is urgently needed and a logical extension of the Brighton township and will effectively replace the 10ha of land compulsorily acquired by DoE.
- 1.8. In partnership with DoE, Brighton Council have engaged a consultant to prepare a Master Plan over the South Brighton area, which includes 69 Brighton Road. The Master Plan will ensure a thorough planning process and that the new high school development is appropriately integrated into the surrounding residential area.
- 1.9. To proceed, the request must be considered and supported by the Planning Authority. If supported, a letter will be sent to the Minister for

Planning to request a STRLUS amendment to extend the UGB.

1.10. The proposal is recommended to be supported.

2. Legislative & Policy Content

- 2.1. The Southern Tasmanian Regional Land Use Strategy (STRLUS) was approved by the Minister for Planning on 27 October 2011. The STRLUS was subsequently amended on 1 October 2013, 14 September 2016, 9 May 2018, and 19 February 2020. Most of the amendments to the STRLUS were to provide for minor expansions of the Urban Growth Boundary.
- 2.2. Under Section 5A of the *Land Use Planning and Approvals Act 1993* (LUPAA), the Minister must undertake regular and periodic reviews of regional strategies. To date, no broad review has taken place, nor has the process for a review begun.
- 2.3. The Tasmanian Planning Commission (TPC) has advised it cannot consider planning scheme amendments that propose to rezone land for suburban densities that is located outside the UGB as shown in STRLUS.
- 2.4. Since the STRLUS was declared in 2011, Brighton has experienced significant growth. The municipality is starting to experience increasing development pressure on the fringes of Brighton's township, and there have been substantial changes in terms of housing, employment and education. As such, the STRLUS is in urgent need of review.
- 2.5. Currently, there is no statutory mechanism for either individuals or Planning Authorities to apply to amend the STRLUS.
- 2.6. The purpose of this report is to enable the Planning Authority to determine whether to support an amendment to the STRLUS.
- 2.7. The relevant legislation is the *Land Use Planning and Approvals Act 1993* (the Act).

- 2.8. In the context of land use planning, the STRLUS sets the broad strategic direction for the region as a whole.
- 2.9. The provisions of the Act specifically require all planning schemes to be – as far as practicable – consistent with the relevant Regional Land Use Strategy. Specifically, pursuant to Section 32(ea) of the Act, before certifying and publicly exhibiting a draft planning scheme amendment, the Planning Authority must be satisfied that the draft amendment is consistent with the Regional Land Use Strategy. Further, pursuant to Section 30O(1) of the Act, the Tasmanian Planning Commission must also be satisfied that a draft amendment is consistent with the Regional Land Use Strategy before approving the amendment.
- 2.10. As the land at 69 Brighton Road is outside the existing Urban Growth Boundary within the STRLUS, any application to rezone the land to an urban zoning would be inconsistent with the STRLUS, and as such, a planning scheme amendment of this nature could not be approved.

3. Reviewing and Amending the Regional Land Use Strategies

- 3.1. As no thorough review of STRLUS has commenced and there is no statutory mechanism for it to be amended by an individual or planning authority, the Planning Policy Unit has prepared an Information Sheet¹ (see Attachment A), which provides guidance on when and under what circumstances the regional land use strategies are reviewed and amended. It also provides information on the requirements and process for reviewing and considering amendments to the regional land use strategies.
- 3.2. The Information Sheet specifies the following minimum information requirements to support an amendment request:
 - All requests for an amendment to a regional land use strategy should first be directed to the relevant local planning authority or regional body representing the local planning authorities in the region.
 - All draft amendments to a regional land use strategy should be submitted in writing to the Minister for Planning by the relevant local planning authority or regional body representing the local planning authorities in the region.
 - The supporting documentation should include details on why the amendment is being sought to the regional land use strategy.

¹ Department of Justice (2019) *Information Sheet RLUS 1 – Reviewing and Amending the Regional Land Use Strategies*. Hobart, Tasmania.
https://www.planningreform.tas.gov.au/_data/assets/pdf_file/0004/456961/Information-Sheet-RLUS-1-Reviewing-and-amending-the-Regional-Land-Use-....pdf

- The supporting documentation should include appropriate justification for any strategic or policy changes being sought and demonstrate how the proposed amendment:
 - (a) furthers the Schedule 1 objectives of LUPAA;
 - (b) is in accordance with State Policies made under section 11 of the State Policies and Project Act 1993;
 - (c) is consistent with the Tasmanian Planning Policies, once they are made; and
 - (d) meets the overarching strategic directions and related policies in the regional land use strategy.
- 3.3. The Information Sheet also recommends that written endorsement for the proposed change is sought from all planning authorities in the relevant region as well as all relevant State Service agencies.
- 3.4. Where an amendment seeks to modify an UGB the following additional supporting information should also be required:
 1. Justification for any additional land being required beyond that already provided for under the existing regional land use strategy. This analysis should include the current population growth projections prepared by the Department of Treasury and Finance.
 2. Analysis and justification of the potential dwelling yield for the proposed additional area of land.
 3. Analysis of land consumption (i.e. land taken up for development) since the regional land use strategy was declared.
 4. Justification for any additional land being located in the proposed area, considering the suitability of the area in terms of access to existing physical infrastructure, public transport, and activity centres that provide social services, retail and employment opportunities.
 5. Consideration of appropriate sequencing of land release within the local area and region.
 6. Consideration of any targets for infill development required by the regional land use strategy.
 7. Potential for land use conflicts with use and development on adjacent land that might arise from the proposed amendment.
- 3.5. Additionally, the following matters must be considered if an amendment is proposed to a regional land use strategy to develop 'greenfield' land:

1. How the amendment accords with the other strategic directions and policies in the relevant regional land use strategy.
 2. Impacts on natural values, such as threatened native vegetation communities, threatened flora and fauna species, wetland and waterway values, and coastal values.
 3. Impacts on cultural values, such as historic heritage values, Aboriginal heritage values and scenic values.
 4. The potential loss of agricultural land from Tasmania's agricultural estate (including but not limited to prime agricultural land and land within irrigation districts) or land for other resource-based industries (e.g. extractive industries).
 5. The potential for land use conflicts with adjoining land, such as agricultural land and nearby agricultural activities, other resource-based industries (e.g. forestry and extractive industries) and industrial land taking into account future demand for this land.
 6. Risks from natural hazards, such as bushfire, flooding, coastal erosion and coastal inundation, and landslip hazards.
 7. Risks associated with potential land contamination.
 8. The potential for impacts on the efficiency of the State and local road networks (including potential impacts/compatibility with public transport and linkages with pedestrian and cycle ways), and the rail network (where applicable).
- 3.6. The following sections address the matters that are covered by the above-mentioned legislative requirement.

4. Risk & Implications

- 4.1. Approval or refusal of this request will have no direct financial implications for the Planning Authority.
- 4.2. As noted in the body of the report, refusing the request may result in a shortage of appropriately zoned residential land in the medium to long term.

5. Site Detail

- 5.1. The proposed area to be added to the Urban Growth Boundary is the northern portion of 69 Brighton Road, Brighton. The area encompasses all land to the north of the existing Bridgewater Industrial Precinct Attenuation Area.

- 5.2. The total area of 69 Brighton Road measures 24.59ha. However, the area proposed to be relocated within the Urban Growth Boundary (i.e. the area shown in red in Figure 1) measures approximately 11.27ha.
- 5.3. The site sits approximately 388m to the south of Elderslie Road, and immediately to the west of Brighton Road.
- 5.4. The site is within close proximity to the Brighton commercial precinct and Brighton Industrial Estate and is located on an existing bus route along Brighton Rd.
- 5.5. The adjoining property at 1 Elderslie Road has recently been sold to the Department of Education. 1 Elderslie Road has been announced as the location of the future Brighton High School site, which is due to open in 2025.
- 5.6. 69 Brighton Road is currently zoned Rural Resource under the *Brighton Interim Planning Scheme 2015*. The site is immediately adjacent to both 1 Elderslie Road and 33 Elderslie Road, both of which sit within the Urban Growth Boundary.
- 5.7. 1 Elderslie Road has an area of 10ha, and is shown in yellow on Figure 1 below.

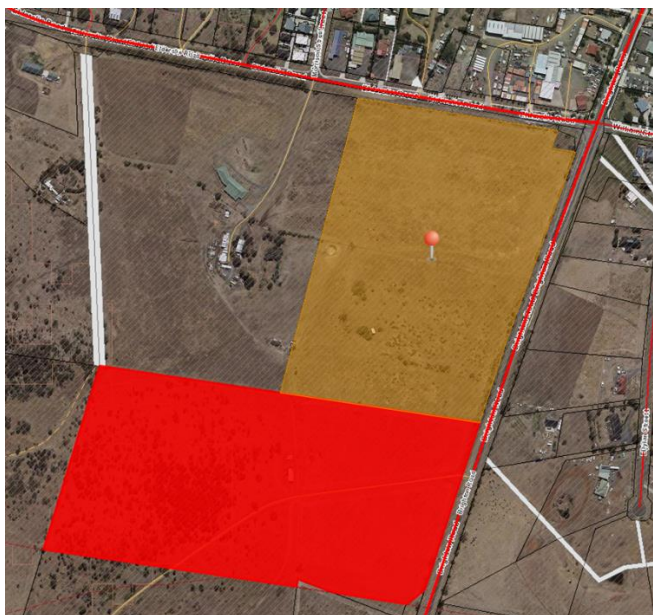


Figure 1: 69 Brighton Rd is shown in red and 1 Elderslie Rd shown in yellow.

- 5.8. 1 Elderslie Road is currently situated within the Urban Growth Boundary. However, as the land has been sold to the Department of Education and nominated as the future high school site, this 10ha parcel will now be unavailable for future residential development.

6. Proposal

- 6.1. The existing UGB is shown on Map 10 of the STRLUS and the area over Brighton is reproduced in Figure 2.

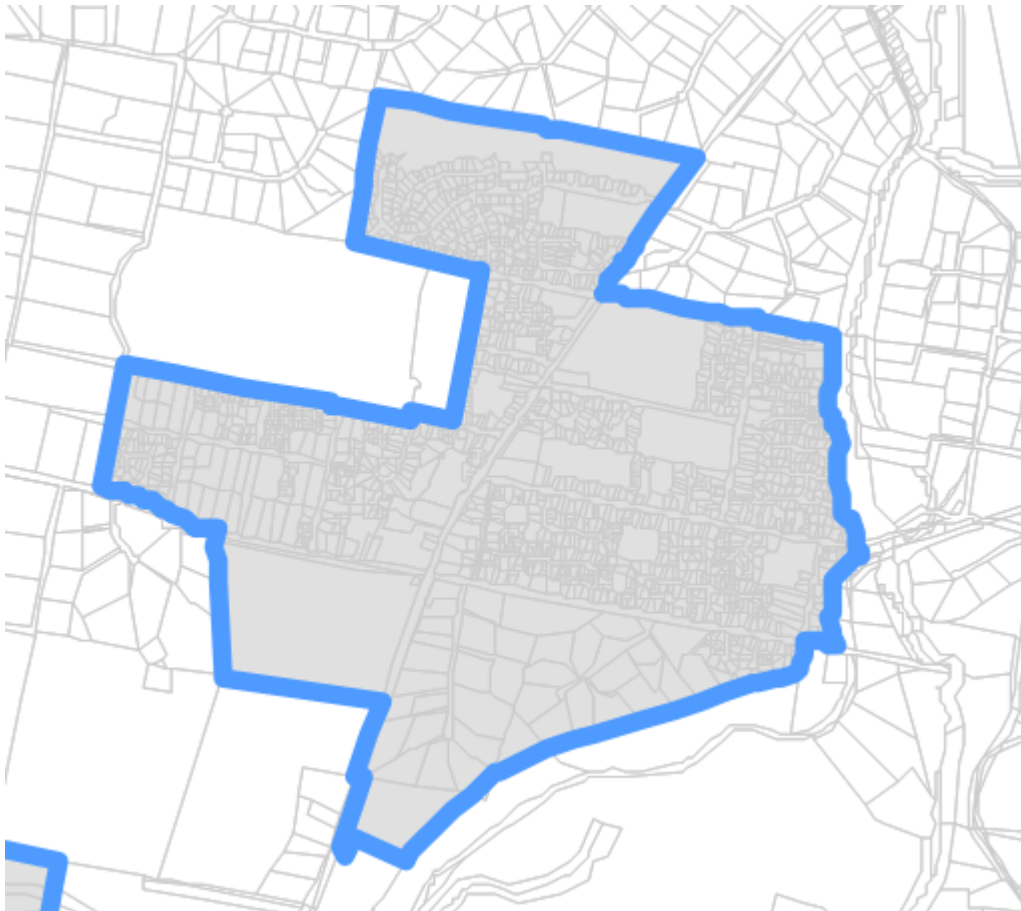


Figure 2: Existing UGB over Brighton

- 6.2. It is proposed that the STRLUS be amended by expanding the UGB by approximately 11.27ha to include part of 69 Brighton Road. The proposed area to be added to the UGB is shown bound in red in Figure 3.
- 6.3. No planning scheme amendment, subdivision or development applications are requested at this time. However, a Master Plan is being prepared for 69 Brighton Rd and the surrounding South Brighton Development Precinct.
- 6.4. The landowner has provided a consent for the UGB expansion (Attachment B)

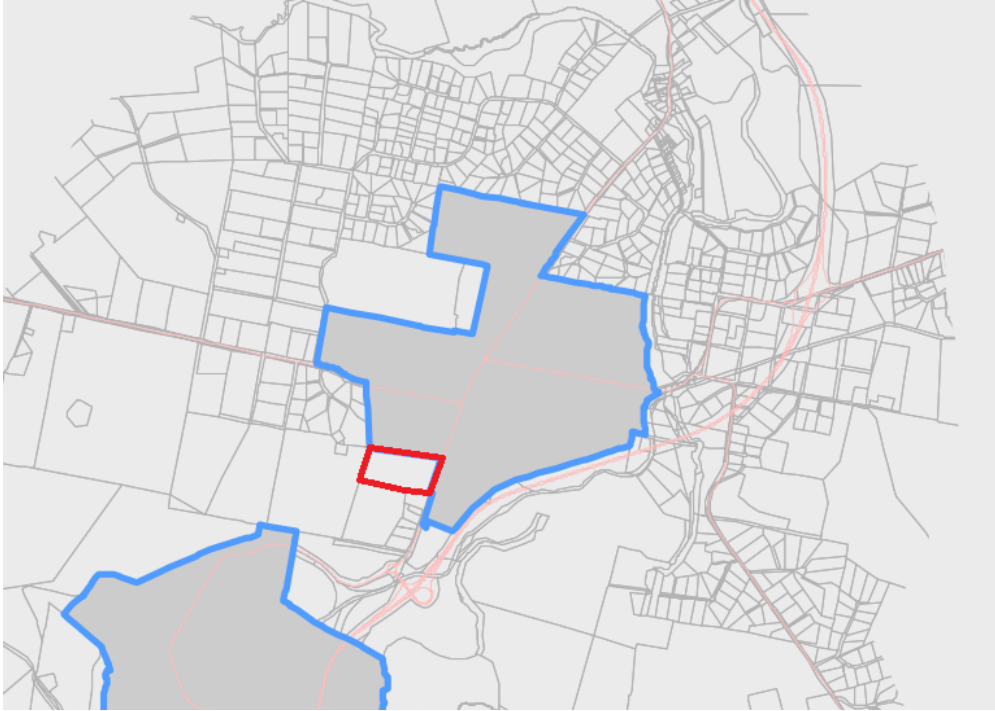


Figure 3: The red border depicts the proposed extension of the UGB over 69 Brighton Rd.

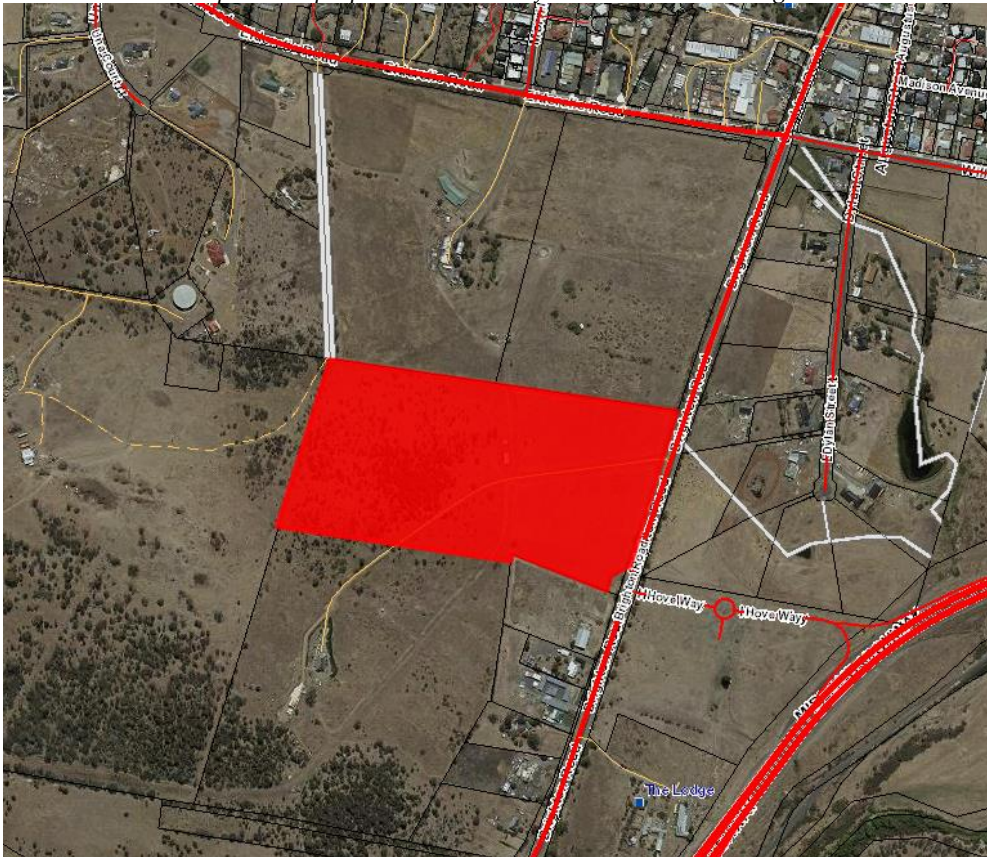


Figure 4: The proposed extension UGB extension over 69 Brighton Rd is shown in red.

7. Relevant Background

- 7.1. South Brighton has long been earmarked as a residential growth option and is identified as a Greenfield Development Precinct in the STRLUS and the Brighton Local Area Plan 2012 (BLAP 2012). A key action in the BLAP 2012 is to prepare a Specific Area Plan for the South Brighton Greenfield Development Precinct (“the Development Precinct”) in the short/medium term.
- 7.2. In early 2020, the Department of Education (DoE) announced that a new \$30 million high school will be built in Brighton, providing state of the art learning facilities for Years 7-12. The site chosen for the Brighton High School is 10 hectares of land within the Greenfield Development Precinct on the corner of Elderslie and Brighton Road (now 1 Elderslie Rd).
- 7.3. Prior to the announcement, Brighton Council advocated for the Brighton High School to be located on the existing DoE owned Jordan river Learning federation school farm site in central Brighton as all other potential sites were needed to accommodate residential or recreation growth for the municipality.
- 7.4. The loss of 10 hectares of land within the Greenfield Development Precinct puts significant pressure on land supply in the Brighton township.
- 7.5. The extension of the UGB over 11.27ha over 69 Brighton Rd will effectively replace the 10ha of land compulsorily acquired by DoE and is a logical extension of the Brighton township.
- 7.6. In June 2020, Brighton Council, in partnership with DoE, have engaged a consultant to prepare a Master Plan for the South Brighton Development Precinct, which includes the land at 69 Brighton Road (See Figure 5 below). The objective of the Master Plan is:

“To develop a comprehensive Master Plan for South Brighton which will guide the development of an attractive gateway neighbourhood which seamlessly integrates the new Brighton High School.”

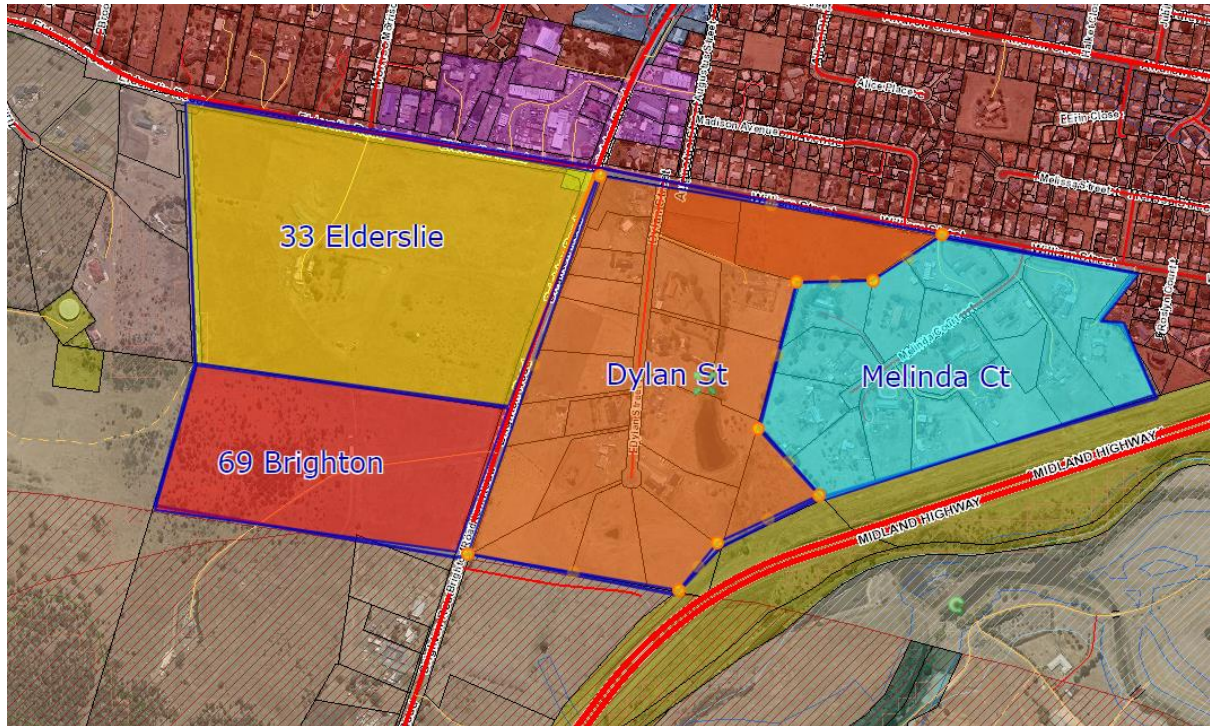


Figure 5: The South Brighton Development Precinct Master Plan area.

- 7.7. At the time of writing, the consultant had completed an infrastructure feasibility for the area and aboriginal heritage surveys and natural values assessments had been commissioned.

8. Planning Assessment

8.1. Southern Tasmanian Regional Land Use Strategy

8.1.1 Greater Hobart Residential Strategy

STRLUS provides for a Greater Hobart Residential Strategy to provide for greater efficiency in the use of land through balancing the ratio of greenfield to infill development.

While there are sufficient infill opportunities within existing residential areas in Greater Hobart to accommodate forecast demand, there are many barriers to overcome if a 100% infill policy would be adopted.

The Strategy proceeds based on a 50/50 ratio of greenfield to infill scenario with a minimum net density of 15 dwelling per hectare. Residential growth will be primarily managed through an UGB that will set the physical extent for a 20-year supply of residential land for the metropolitan area.

Also, to be included within the UGB is land for other urban purposes (i.e. commercial and industrial development) as well as pockets of open space and recreational land that assist in providing urban amenity.

8.1.2 Brighton Context

Figure 6 shows how the UGB is applied in the Brighton municipality.

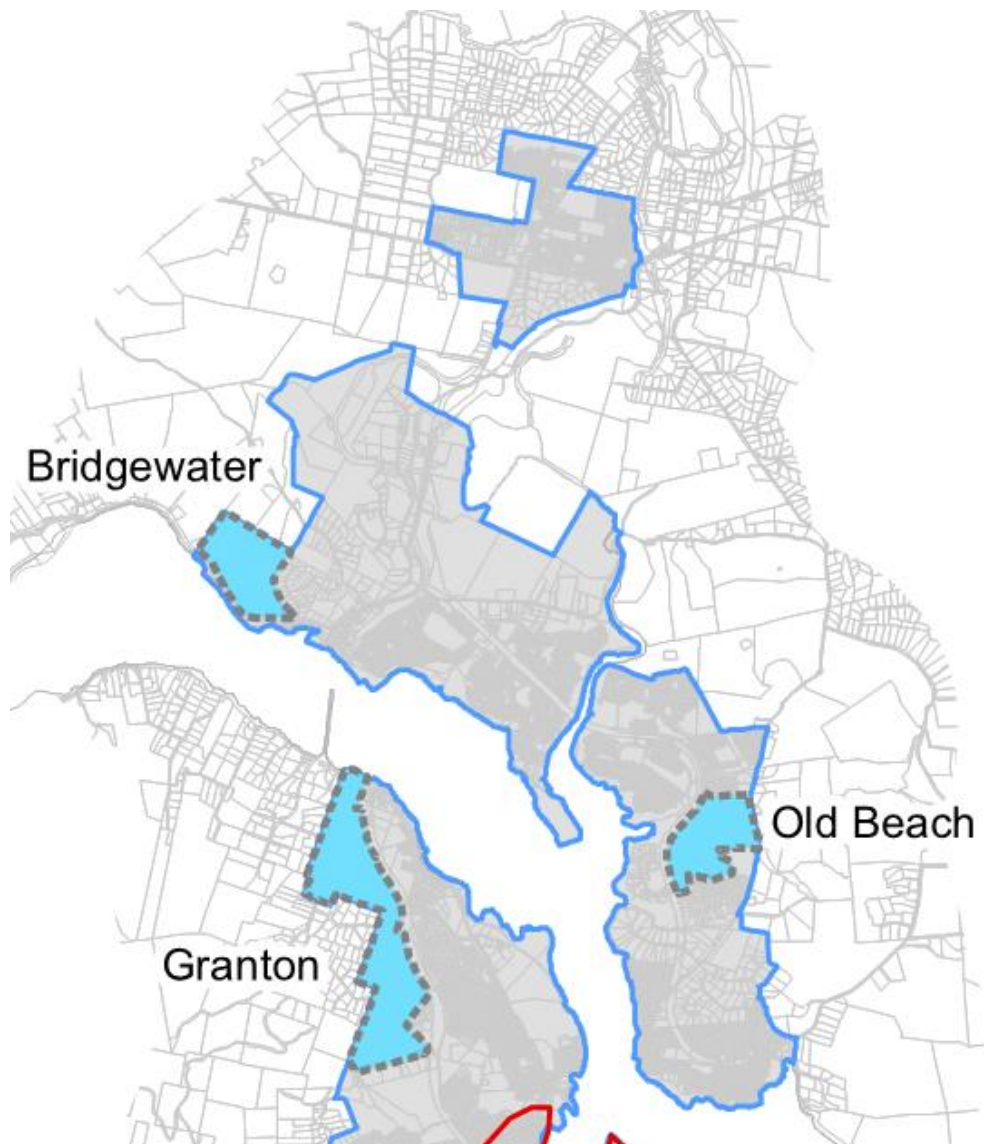


Figure 6: The STRLUS UGB over the Brighton municipality.

Policy SRD 2.3 provides greenfield land for residential purposes across nine Greenfield Development Precincts within the greater Hobart area. Three of these are within the Brighton municipality:

- Bridgewater North
- Brighton South
- Gagebrook/Old Beach

The Brighton South Greenfield Development Precinct was annotated Map 10 in the 2011 gazetted version of STRLUS, but the annotation was removed in the amended 2013 version for unknown reasons.

Regardless, the Brighton South Greenfield Development Precinct at 33 Elderslie Road was zoned to residential in 2009 but has never been developed. 10ha of this land has now been acquired by DoE for the Brighton High School.

The majority of the Gagebrook/Old Beach Greenfield Development Precinct has now been rezoned to General Residential with the Tivoli Green Specific Area Plan overlay which provides for 566 lots. There is a further 15.4ha of land across three parcels that is still zoned Future Urban.

The Bridgewater North Precinct is also zoned Future Urban, but is considered to be poorly located and has poor access to services. In regard to the Bridgewater North Precinct, the BSP 2018 states:

Given that it is currently isolated from other residential zoning development, its development for urban purposes may only be a long term prospect if land to the east is developed for similar purposes.

The potential development of a light rail stop at Bridgewater would provide a catalyst for development. Given that it represents the only viable growth direction for Bridgewater, its zoning should be retained.

Policy SRD 2.7 requires residential infill growth to be distributed across the existing urban areas for the 25 year planning period, with 15%, or 1987 dwellings, to be accommodated within the Brighton municipality UGB.

- 8.2** *Justification for any additional land being required beyond that already provided for under the existing regional land use strategy. This analysis should include the current population growth projections prepared by the Department of Treasury and Finance.*

8.2.1 Brighton Land supply

A review of current lot supply in Brighton was undertaken in December 2020 (see attachment C). The review is comprised of the most significant subdivisions/land holdings and is completed to provide an indication of residential land availability. It does not account for all available lots or minor infill subdivision and on this basis underrepresents the number lots actually available, or readily subdividable within the UGB. However, the STRLUS acknowledges that there are many barriers to infill development and that is why it uses a 50/50 ratio of greenfield to infill development.

In summary, there are currently 1,499 potential infill lots that are already zoned General Residential. This includes 726 lots that are located within the Gagebrook/Old Beach and South Brighton Greenfield Development Precincts that have already been rezoned. It does not include the 10ha acquired for the new Brighton High School.

There is also potential for 735 greenfield lots within the Bridgewater North and Gagebrook/Old Beach Greenfield Development Precincts that is currently zoned Future Urban. Although, as noted above, the Bridgewater North Precinct is isolated and remains a long-term prospect.

Accordingly, **there are a total of 2,234 lots** in Brighton municipality (1,499 infill and 735 greenfield) that are either approved or could be approved and able to be released in coming years. **Only 599 of these are within the Brighton township.**

The Tasmanian Department of Treasury and Finance (Treasury) population projections in 2019 expect Brighton Local Government Area (LGA) to be the fastest growing LGA in Tasmania in percentage terms with an expected population gain of 33.4%, or 5,754 people, by 2042. This is an average growth rate of 1.18% per annum.

Analysis undertaken for the Brighton Structure Plan 2018 (BSP 2018) predicts considerably stronger population growth of 7,040 people by 2033 (Based on a 2% growth scenario).

The BSP predicts that 43% of the growth will be accommodated within the suburbs of Brighton and Pontville at a growth rate of 2.7% per annum, or an increase of 3,040 people by 2033 (or 2,465 people by 2042 under the Treasury scenario).

Using ABS data of 2.6 people per household this equates to a demand of 2,213 dwellings by 2042 under the Treasury scenario and 2,708 dwellings by 2033 under the BSP scenario.

This existing supply just satisfies the 20 year supply from Treasury the Treasury projections, but would require ALL infill development opportunities to proceed. The existing supply is well short of the BSP scenario.

Under the BSP scenario for 43% of growth to be accommodated in Brighton township, there will be a shortage of 351 dwellings under the Treasury scenario or 565 dwellings under the BSP scenario.

Of further concern is the release of land in Brighton municipality has generally been slow. Only 309 of potential lots are currently approved and this includes 77 lot subdivision at Plymouth Rd, Gagebrook which hasn't sold a single lot since it was approved in 2006.

Brighton township is expected to accommodate the most growth, but there are only 99 approved lots, 64 of which are in the Army Camp and are likely to be released in early 2021.

A further issue is the isolated location of the Bridgewater North Precinct (approximately 600 lots) and whether the General Residential Zone would even be appropriate in this area.

The loss of 10ha of General Residential land for the use of the Brighton High School has put significant pressure on the land supply within the Brighton township. However, this can be logically replaced on the adjoining land at 69 Brighton Road if the UGB is extended.

8.2.2 Brighton Structure Plan 2018

In addition to Council's own lot supply analysis is that undertaken in the BSP 2018.

Whilst the BSP is not a legislative requirement under the Act, it does represent orderly and sound strategic planning direction for the Brighton municipal area.

The BSP acts as a guide for major changes to land use, built form and public spaces that together can achieve identified economic, social and environmental objectives for Brighton.

Strategy 1 from the BSP is relevant to this proposal:

Strategy 1: Review the Urban Growth Boundary.

Based on an analysis of land availability and projected population growth for Brighton, the Structure Plan states that there is inadequate land within the existing Urban Growth Boundary to accommodate Brighton's long term housing needs.

The Structure Plan identifies that 58.2ha of additional land will be needed to meet the required demand within the life of the Structure Plan. It should be noted that the Structure Plan was written in 2018, prior to the Department of Education announcing its plans to develop a high school on the 10ha parcel at 1 Elderslie Road. As noted above, the 10ha of land sits immediately to the north of 69 Brighton Road, and within the existing Urban Growth Boundary.

By removing the 10ha of land acquired by the Department of Education from land to be developed at urban densities, essentially Brighton needs 68.2 ha of additional urban land to meet the projected demand.

The proposed extension of the Urban Growth Boundary would provide for 11.27ha of the 68.2ha, should the land be rezoned and developed in the future.

The Structure Plan recommends that 69 Brighton Road be considered as a primary urban growth option (p.53). It also recommends the Urban Growth

Boundary be extended to encompass new greenfield development precincts – i.e. the land at 69 Brighton Road (p.44).

The proposed amendment is considered to be consistent with the relevant strategies and actions from the Structure Plan.

8.3 *Analysis and justification of the potential dwelling yield for the proposed additional area of land.*

Council in partnership with DoE has engaged a consultant to undertake an infrastructure feasibility and prepare a Master Plan for the South Brighton Development Precinct.

Figure 7 shows an early concept sketch for 69 Brighton Rd and how it might be developed. The concept sketch shows a dwelling yield of approximately 123.

If the land was developed at 15 dwelling per hectare, as required for greenfield developments under STRLUS, then the dwelling yield will be approximately 169. However, a threatened vegetation community has been identified on the upper western slope and this area may not be developable.

In summary, it is likely that the dwelling yield on 69 Brighton Road will be between 120 and 170 dwellings.

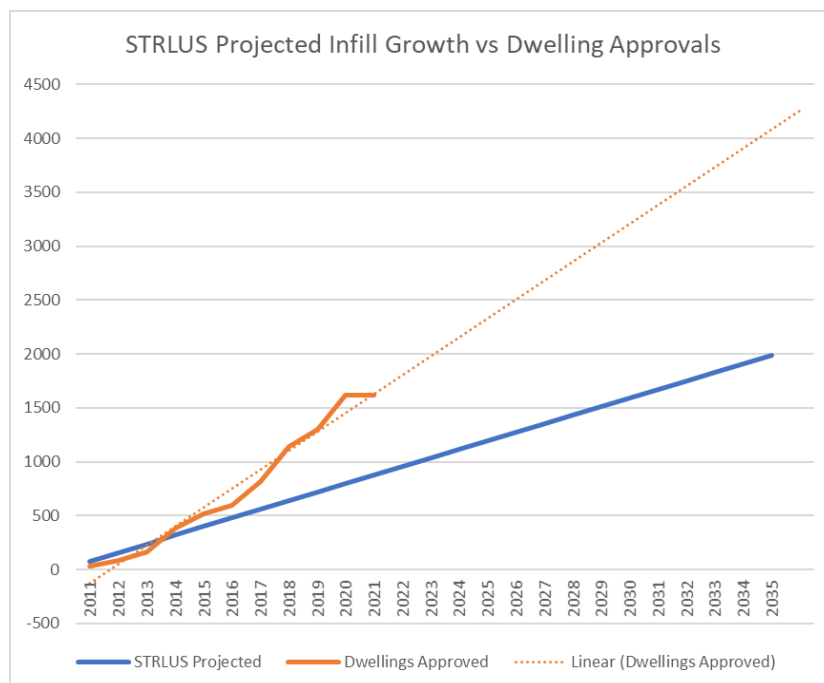


Figure 7: Concept sketch for 69 Brighton Rd (Source: GHD, 2019)

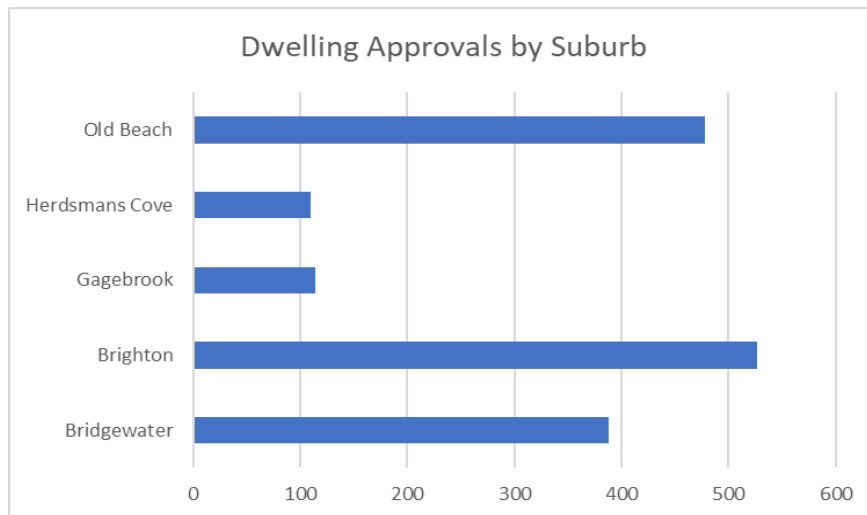
8.4 Analysis of land consumption (i.e. land taken up for development) since the regional land use strategy was declared.

STRLUS identifies that 1,987 dwellings should be accommodated as infill growth within the Brighton municipality over the 25 year planning period. Using Council's development approvals database, it has been estimated that approximately 1,618 dwellings have been constructed on brownfield sites since the STRLUS was gazetted in 27 October 2011. The results have been filtered to ensure that only dwelling approvals within the UGB (excluding Greenfield Development Precincts) have been included.

It is only 10 years into 25 year planning period and the Brighton Council has already achieved 81% of its infill target (see Graph 1). Graph 2 confirms that the strongest growth is within the Brighton township.



Graph 1: STRLUS projected infill growth vs actual development approvals.



Graph 2: Dwelling approvals within UGB by suburb since 27 October 2011.

Additionally, DoE compulsorily acquired 10ha of General Residential zoned land at 33 Elderslie Rd, Brighton (now 1 Elderslie Rd) for the new Brighton High School.

It is acknowledged that land within the UGB will include land for urban purposes, however 33 Elderslie Road has always been earmarked for residential development. For this reason, Brighton Council's preferred high school site was on the existing JRLF school farm site which was already owned by DoE and zoned appropriately. Arguably a school farm is not an urban use and does not belong in the UGB.

STRLUS identified three greenfield sites within Brighton. Two of these have now been rezoned and the other with poor proximity to services and a long term prospect.

Other than 15ha balance of the Old Beach Greenfield Development Precinct (6ha of which is waterway), there is effectively no well-located greenfield land remaining in the Brighton municipality. Of particular concern is the lack of land available within the Brighton township.

8.5 *Justification for any additional land being located in the proposed area, considering the suitability of the area in terms of access to existing physical infrastructure, public transport, and activity centres that provide social services, retail and employment opportunities.*

As previously mentioned, 69 Brighton Road has been included in a master planning process being undertaken on behalf of Brighton and DoE.

The site will obviously have excellent access to the adjoining high school facility and the master planning process will ensure that there is strong connectivity to the surrounding neighbourhood.

The site has excellent frontage to Brighton Road which is an existing public transport corridor and there is an opportunity to provide a new bus stop once the land is developed. Footpaths and bike lanes will be extended from the corner of Elderslie Road along Brighton Rd to the roundabout to the south. This will provide excellent connectivity to the Brighton township activity centre to the north and the Brighton Industrial Estate to the south.

The Brighton activity centre provides a range of social services and employment opportunities. The Industrial Estate is also a major employer in the municipality and has significant growth potential. The Highway Services Precinct at 40 Brighton Road (opposite 69 Brighton Road) provides further employment opportunities. An extension of the Brighton activity centre into the Master Plan area is also being considered.

There are some major infrastructure upgrades required, however the consultants have prepared a draft infrastructure feasibility study to ensure the most cost-effective outcomes can be achieved.

8.6 *Consideration of appropriate sequencing of land release within the local area and region.*

As noted above, the supply of land in the Brighton local area is unlikely to meet forecast demand even with the extension of the UGB over 69 Brighton Road. The Master Plan process will look at the staged release of land in the area.

8.7 *Consideration of any targets for infill development required by the regional land use strategy.*

See section 8.4 above. Brighton is likely to achieve its infill development target well before the 25 year planning period.

8.8 *Potential for land use conflicts with use and development on adjacent land that might arise from the proposed amendment.*

The proposal is to extend the UGB over 69 Brighton Road to the edge of the Boral Quarry and Industrial Precinct Attenuation areas. As the land is located outside the Attenuation Areas, the land is not subject to the controls of the Attenuation Code. Regardless, Council has received a letter of support from Mineral Resources Tasmania (MRT) for the extension of the UGB to the edge of the buffer (see attached).

The land to the north and west are zoned for residential use and no land use conflicts are likely to occur. Land to the south is zoned Rural Resource, but these are smaller lots established by residential use and is a pseudo rural-living area. The land to the west is zoned Rural Resource and used for dryland grazing. A buffer to this land can be incorporated into the Master Plan and may be required anyway due to threatened vegetation.

8.9 How the amendment accords with the other strategic directions and policies in the relevant regional land use strategy.

The relevant STRLUS strategic policies and corresponding comments demonstrating how the proposal is consistent with STRLUS are listed in the table below.

Policy	Comment
<p>BNV 1.1</p> <p>Manage and protect significant native vegetation at the earliest possible stage of the land use planning process.</p> <p>Where possible, avoid applying zones that provide for intensive use or development to areas that retain biodiversity values that are to be recognised and protected by the planning scheme.</p>	See section 8.10 below
<p>BNV 2.1</p> <p>Avoid the clearance of threatened native vegetation communities except:</p> <p>a. where the long-term social and economic benefit arising from the use and development facilitated by the clearance outweigh the environmental benefit of retention; and</p> <p>b. where the clearance will not significantly detract from the conservation of that threatened native vegetation community.</p>	See section 8.10 below

BNV 2.2 Minimise clearance of native vegetation communities that provide habitat for threatened species.	See section 8.10 below
BNV 2.3 Advise potential applicants of the requirements of the Threatened Species Protection Act 1995 and their responsibilities under the Environmental Protection and Biodiversity Conservation Act 1999	See section 8.10 below
MRH 1.1 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.	See section 8.14 below
CV 1.3 Avoid the allocation of land use growth opportunities in areas where Aboriginal cultural heritage values are known to exist.	See section 8.11 below
ROS 1.5 Provide for residential areas, open spaces and other community destinations that are well connected with a network of high quality walking and cycling routes.	Open space and connectivity to the site will be considered through the master planning process for the site and surrounds.

<p>SI 1.2</p> <p>Match location and delivery of social infrastructure with the needs of the community and, where relevant, in sequence with residential land release.</p>	<p>The need for social infrastructure will be considered through the master planning process for the site and surrounds.</p>
<p>SI 1.3</p> <p>Provide social infrastructure that is well located and accessible in relation to residential development, public transport services, employment and education opportunities.</p>	<p>See section 8.5 above</p>
<p>SI 1.4</p> <p>Identify and protect sites for social infrastructure, particularly in high social dependency areas, targeted urban growth areas (both infill and greenfield) and in identified Activity Centres.</p>	<p>The need for the UGB expansion is a result of identifying the need for a high school on residential land.</p>
<p>SI 1.6</p> <p>Co-locate and integrate community facilities and services to improve service delivery, and form accessible hubs and focus points for community activity, in a manner consistent with the Activity Centre hierarchy.</p>	<p>The need for social infrastructure will be considered through the master planning process for the site and surrounds. Opportunities for partnerships with the new High School will also be considered.</p>
<p>SI 1.8</p> <p>Provide for the aged to continue living within their communities, and with their families, for as long as possible by providing appropriate options and flexibility within the planning scheme.</p>	<p>The owner of the site has indicated they are interested in providing aged care on the site and this will be considered as part of the master planning process.</p>

<p>PI 1.1</p> <p>Preference growth that utilises under-capacity of existing infrastructure through the regional settlement strategy and Urban Growth Boundary for metropolitan area of Greater Hobart.</p>	<p>New infrastructure (e.g. sewer pump station) is already required to service much of the South Brighton Development Precinct. 69 Brighton Road will be able to utilise this infrastructure making it more efficient.</p>
<p>PI 2</p> <p>Plan, coordinate and deliver physical infrastructure and servicing in a timely manner to support the regional settlement pattern and specific growth management strategies.</p>	<p>A draft Infrastructure Feasibility Study has been prepared for the South Brighton Development Precinct Area to ensure that infrastructure is delivered in a coordinated and efficient manner.</p>
<p>LUTI 1.1</p> <p>Give preference to urban expansion that is in physical proximity to existing transport corridors and the higher order Activity Centres rather than Urban Satellites or dormitory suburbs.</p>	<p>69 Brighton Rd is on a public transport corridor and within 700m of the Brighton Activity centre.</p>
<p>LUTI 1.4</p> <p>Consolidate residential development outside of Greater Hobart into key settlements where the daily and weekly needs of residents are met.</p>	<p>See above comment</p>
<p>LUTI 1.6</p> <p>Maximise road connections between existing and potential future roads with new roads proposed as part of the design and layout of subdivision.</p>	<p>Maximising road connectivity is being considered as part of the master planning process.</p>

<p>LUTI 1.11</p> <p>Encourage walking and cycling as alternative modes of transport through the provision of suitable infrastructure and developing safe, attractive and convenient walking and cycling environments.</p>	<p>See section 8.5 above.</p>
<p>PR 1.2</p> <p>Avoid potential for further fettering from residential development by setting an acceptable solution buffer distance of 200 metres from the boundary of the Agriculture Zone, within which the planning scheme is to manage potential for land use conflict.</p>	<p>See section 8.12 below</p>
<p>IA 1.2</p> <p>Locate new industrial areas away from sensitive land uses such as residentially zoned land.</p>	<p>See section 8.8 above.</p>
<p>SRD 1.1</p> <p>Implement the Regional Settlement Strategy and associated growth management strategies through the planning scheme.</p>	<p>See sections 8.1 & 8.2 above</p>
<p>SRD 1.2</p> <p>Manage residential growth in District Centres, District Towns and Townships through a hierarchy of planning processes as follows:</p> <p>1. Strategy (regional function & growth scenario);</p>	<p>The proposal to extend the UGB is addressing point 1 and the master planning process that has commenced for the site and surrounds addresses point 2.</p>

<p>2. Settlement Structure Plans (including identification of settlement boundaries);</p> <p>3. Subdivision Permit;</p> <p>4. Use and Development Permit.</p>	
<p>SRD 1.5</p> <p>Encourage land zoned General Residential to be developed at a minimum of 15 dwellings per hectare (net density).</p>	<p>15 dwellings/ha will be the aim for 69 Brighton Rd.</p>
<p>SRD 2</p> <p>Manage residential growth for Greater Hobart on a whole of settlement basis and in a manner that balances the needs for greater sustainability, housing choice and affordability.</p>	<p>See Sections 8.1 – 8.7.</p>

8.10 *Impacts on natural values, such as threatened native vegetation communities, threatened flora and fauna species, wetland and waterway values, and coastal values.*

A flora and fauna, desktop assessment and site visit have been undertaken for the site. No state-listed threatened native vegetation communities (under the *Nature Conservation Act 2002*) are mapped as occurring on the site. However, a patch of Lowland grassland complex (GCL) occurs (see Figure 8) and are critically endangered ecological community listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBCA).



Figure 8: Map showing location of Lowland grassland complex (GCL) (Source: GHD Flora & Fauna Assessment)

The landowner has engaged a consultant to undertake a more thorough site assessment in coming months so that the grassland communities can be more thoroughly mapped. The more detailed study will inform the Master Planning process and be provided as any future rezoning proposal.

8.11 *Impacts on cultural values, such as historic heritage values, Aboriginal heritage values and scenic values.*

An aboriginal heritage consultant has been engaged as part of the master planning process and is expected to have a report completed by March 2021.

An initial Dial-Before-You-Dig did not identify any registered Aboriginal relics or apparent risks of impacting Aboriginal relics.

8.12 *The potential loss of agricultural land from Tasmania's agricultural estate (including but not limited to prime agricultural land and land within irrigation districts) or land for other resource-based industries (e.g. extractive industries).*

The agricultural potential was reviewed as part of the preparation of the Brighton draft Local Provisions Schedule (LPS). The following comments were provided by the agricultural consultant in regard to 69 Brighton Rd and surrounds:

Rural Zone is appropriate for these titles. Most of the titles west of Brighton Rd have existing dwellings on them. While the largest title is 25ha in area, it has an existing dwelling, is steeply sloped, has a relatively poor Land Capability, no irrigation resources and is poorly connected to land that it would likely be farmed in conjunction with. To the north of these titles is land zoned General Residential. While the title to the west is zoned Rural Resource and is around 30ha in area, it has an existing dwelling and also appears to have limited ag potential due to Land Capability, slope and adjacent constraints.

69 Brighton Road is not significant agricultural land.

- 8.13** *The potential for land use conflicts with adjoining land, such as agricultural land and nearby agricultural activities, other resource-based industries (e.g. forestry and extractive industries) and industrial land taking into account future demand for this land.*

See Section 8.8 above.

- 8.14** *Risks from natural hazards, such as bushfire, flooding, coastal erosion and coastal inundation, and landslip hazards.*

The only applicable land use hazard is bushfire and the land is within the bushfire overlay. The bushfire risk will be considered as part of the Master Planning process.

- 8.15** *Risks associated with potential land contamination.*

There is no land contamination risk.

- 8.16** *The potential for impacts on the efficiency of the State and local road networks (including potential impacts/compatibility with public transport and linkages with pedestrian and cycle ways), and the rail network (where applicable).*

A feasibility study has been prepared as part of the Master planning process. The study identifies that roundabouts are likely to be required at the Brighton Rd/Elderslie Rd/William St intersection and the Brighton Rd/Hove Way intersection with a new connection to 69 Brighton Rd.

Pedestrian cycling linkages will need to be constructed along Brighton Rd and throughout the development and a new bus stop along the Brighton Rd frontage can be accommodated.

- 8.17** **RMPS Objectives**

The objectives of the Resource Management and Planning System must be furthered by the rezoning request.

- (a) *to promote the sustainable development of natural and physical resources and the maintenance of ecological processes and genetic diversity; and*

The request will provide for the sustainable development of a compact township and the master planning process will consider how best to manage an identified threatened vegetation community.

- (b) *to provide for the fair, orderly and sustainable use and development of air, land and water; and*

The request continues to provide for fair, orderly and sustainable use and development of air, land and water.

- (c) *to encourage public involvement in resource management and planning; and*

There is no formal public exhibition process for requests of this nature. However, the public has had significant involvement in resource management and planning within Brighton over the last five years, through the public consultation for the *Brighton Interim Planning Scheme 2015*, the preparation of the *Brighton Structure Plan 2018*, and through the public consultation periods for the preparation of Brighton's Local Provisions Schedule for the *Tasmanian Planning Scheme*.

The request is for a minor expansion of the Urban Growth Boundary, and is considered to be relatively minor.

Once the STRLUS is formally reviewed in full, the public will again have the opportunity to provide additional comment, demonstrating public involvement through the Resource Management and Planning System in Tasmania.

- (d) *to facilitate economic development in accordance with the objectives set out in paragraphs (a), (b) and (c); and*

The request, if successful, will help facilitate future amendments of the planning scheme to urban densities. Assuming the land is rezoned at some point in the future, there will likely be substantial urban development, which will stimulate the construction economy.

- (e) *to promote the sharing of responsibility for resource management and planning between the different spheres of Government, the community and industry in the State.*

The proposed request will require the consideration of the Brighton's Planning Authority, all other southern region Planning Authorities and of the Minister for Planning, which will include the involvement of and consultation with various sections and agencies of the Tasmanian Government.

Other local planning authorities within the region will also be formally consulted with as part of the process.

The proposed Planning Scheme Amendment as it relates to the Objectives

of Part 2 of Schedule 1 of LUPAA is discussed below:

- (a) *to require sound strategic planning and co-ordinated action by State and local government;*

The report demonstrates that the proposal is consistent with the *Southern Tasmania Regional Land Use Strategy 2010-2035*, *Brighton Structure Plan 2018* and the *Brighton Council Strategic Plan 2015-2025*.

- (b) *to establish a system of planning instruments to be the principal way of setting objectives, policies and controls for the use, development and protection of land.*

The proposal has been submitted in accordance with “Information Sheet RLUS 1 – Reviewing and amending the Regional Land Use Strategies”.

- (c) *to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land; and*

See section 8.10 and 8.5 of this report.

- (d) *to require land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels; and*

The proposal does not conflict with this objective and is consistent with State, regional and local planning policies and strategies.

- (e) *to provide for the consolidation of approvals for land use or development and related matters, and to co-ordinate planning approvals with related approvals; and*

This objective is not directly relevant to the current matter.

- (f) *to secure a pleasant, efficient and safe working, living and recreational environment for all Tasmanians and visitors to Tasmania; and*

The site forms part of a broader master planning process which will provide the necessary planning controls to provide for a liveable neighbourhood.

- (g) *to conserve those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value; and*

The site and adjoining land are not known to contain any items or places of scientific, aesthetic, architectural or historic interest.

- (h) *to protect public infrastructure and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community; and*

An Infrastructure Feasibility study is being prepared to provide for co-ordinated delivery of public utilities.

- (i) *to provide a planning framework which fully considers land capability.*

See section 8.12 of this report.

8.18 State Policies

8.18.1 State Coastal Policy 1996

The *State Coastal Policy 1996* applies to land within 1 km of the high-water mark. The subject land is more than 1km from the high-water mark and this policy does not apply.

8.18.2 State Policy on the Protection of Agricultural Land 2009

The *State Policy on the Protection of Agricultural Land 2009* protects Prime Agricultural Land (Land Capability Classes 1, 2, and 3). The land is not considered to be Prime Agricultural Land.

8.18.3 The State Policy on Water Quality Management 1997

The *State Policy on Water Quality Management 1997* applies but is more relevant to individual developments.

8.19 Tasmanian Planning Policies

The Tasmanian Planning Policies have not been made.

8.20 Brighton Council Strategic Plan 2019-2029

The proposed amendment is consistent with the below relevant strategies from the *Brighton Council Strategic Plan 2019-2029*²:

- *S1.2: Create Housing/Employment/Play/Education (Liveability)*
- *S1.5: Build a resilient community and environmentally sustainable future.*
- *S2.1: A focus on Agriculture/Horticulture/Aquaculture – (Food)*
- *S3.1: Support 30% Growth Target*
- *S4.4: Long-term thinking & evidence-based*

The proposed amendment does not conflict with any of Council's strategies.

² Brighton Council (2019) *Brighton Council Strategic Plan 2019-2029*. <https://www.brighton.tas.gov.au/wp-content/uploads/2019/08/Brighton-Strategy-on-a-page-2019-29.pdf>

8.21 Southern Tasmania Regional Land Use Strategy 2010-2035

As required under s.32(1)(ea) 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).

Consistency with STRLUS is demonstrated at section 8.9 of this report.

9 Consultation

9.1 Technical Reference Group

Council has advised the Southern Technical Reference Group (TRG), which is a regional body representing the local planning authorities in the Southern Region, of its intention to pursue the amendment of the STRLUS. Senior Strategic Planners from all southern region Councils sit on TRG. Informally, members of the group were asked if it were likely that their Council would object to the proposed amendment. Whilst no objections were made, one member stated that the decision would be referred to their planning authority.

Should Council determine to support the recommendation, it is understood that the Minister for Planning will formally contact all Councils within the region for their comment on the proposal.

9.2 Planning Policy Unit

Council has consulted with the Planning Policy Unit regarding the proposed amendment.

9.3 Public Exhibition

The request to amend the Regional Land Use Strategy has not been publicly exhibited. There is no statutory requirement to do so.

9.4 Other

9.4.1 Council has obtained letters of support from the Department of State Growth, Mineral Resources Tasmania, and a planning consultant acting on behalf of the previous land owner.

9.4.2 Consultants have prepared a draft Infrastructure Feasibility study for the South Brighton Development Precinct and have engaged with infrastructure providers throughout this process to gain an understanding of the infrastructure needs for the area.

CONCLUSION:

The proposal to amend STRLUS to extend the UGB over 69 Brighton Road has become critical since 10ha of land at 1 Elderslie Rd earmarked for residential development was compulsorily acquired by DoE for the new Brighton High School.

This report demonstrates that the rapid growth in the Brighton municipality since STRLUS was gazetted in 2011 has strained land supply, particularly in the Brighton township.

Treasury population projections predict that Brighton will be the fastest growing municipality to 2042 and the land supply analysis predicts that there is insufficient land in the Brighton municipality to accommodate the growth.

The extension of the UGB to 69 Brighton Rd is urgently required to meet the future need of Greater Hobart and is a logical extension of the Brighton township and adjoins the new high school site. The site is in good proximity to the Brighton activity centre and Brighton Industrial Estate and provides excellent access to social services and employment opportunities.

The site is already being considered in the master planning process for the South Brighton Development Precinct to ensure it is part of an attractive, well planned neighbourhood which integrates with the new Brighton High School.

On this basis, the proposed amendment to STRLUS to expand the UGB over 11.27ha of 69 Brighton Road is recommended for approval.

RECOMMENDATION:

That Council resolve to request the Minister for Planning to amend the Southern Tasmania Regional Land Use Strategy 2010-2035 (STRLUS) to extend the Urban Growth Boundary over the part of 69 Brighton Road that is not covered by the Attenuation Area overlay.

DECISION:

Cr Foster moved, Cr Curran seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour

Cr Curran
Cr Foster
Cr Garlick
Cr Geard
Cr Gray
Cr Jeffries
Cr Owen

Against

Cr Murtagh
Cr Whelan

Mayor Foster resumed the Chair

Ordinary Council Meeting

19/01/2021

The meeting closed 6.32pm