

TASMANIAN PLANNING COMMISSION

Our ref: DOC/23/142753
Officer: Louise Blyth
Phone: 6165 6818
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14 December 2023

Mr James Dryburgh
General Manager
Brighton Council

By email: admin@brighton.tas.gov.au; jo.blackwell@brighton.tas.gov.au

Attention: Ms Jo Blackwell

Dear Mr Dryburgh

Tasmanian Planning Scheme - Brighton
Draft amendment RZ 2023-004
Burrows Avenue Specific Area Plan

I refer to the above draft amendment and the Commission's direction letter of 1 September 2023. Submissions were received from the planning authority on 22 and 24 November 2023 in response to this letter.

The Commission gives the following directions:

1. The planning authority is to provide to the Commission by **22 January 2024** a submission on a revised draft amendment responding to the drafting issues raised at the hearing as follows:

BRI-S12.1.2	Replace 'land-use' with 'land use'
BRI-S12.3.1	Delete reference to 'BRI-12.1' and replace with 'BRI-12.2'
BRI-S12.4	'Council Infrastructure' definition includes the words 'and the like'. Revise to ensure definition is definitive and an exhaustive list to provide clarity.
BRI-S12.7.1	Relocate P1 a) to become part of A1 i.e. new multiple dwellings must either: <ol style="list-style-type: none">1. be serviced by existing infrastructure, or alternately2. propose to provide it as part of the development application. Revise P1 to the effect of 'Provide necessary Council Infrastructure having regard to the increased demand generated by the proposal, surrounding development and any existing infrastructure.'
BRI-S12.8.1	Delete the word 'improved' in b) of Objective.
BRI-S12.8.1	Neither the acceptable solution nor the performance criteria clearly specify that if the road does not exist, there would be a requirement

	<p>for it to be constructed, presumably, at the cost of the developer.</p> <p>If the road does exist, P1 (b) does not make it clear when there would be a requirement for the infrastructure contribution, as it is reliant on a separate policy which may or may not exist.</p> <p>Consider rewording to make it clearer.</p> <p>Consider separating the standards into A1/A2 and P1/P2, with A1/P1 populated by standards relating to lot configuration and A2/P2 populated by standards relating to road construction/contribution towards existing road.</p>
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2. In relation to the additional standards included in the planning authority's submission received on 22 November 2023 (BRI-S12.7.2 A2/P2), the planning authority is to provide to the Commission by **22 January 2024** a submission on a revised draft amendment responding to the following drafting issues:

BRI-S12.7.2	<p>Consider revising the expression of P2 by replacing the words 'accommodating more than 5 cars must satisfy' with 'must have regard to'.</p> <p>Consider rewording P2(a) (b) and (c) to provide greater clarity and consistency with the SPPs. For example, consideration could be given to provisions within the Tasmanian Planning Scheme's Parking and Sustainable Transport Code, including clauses C2.6.8 P2 and C2.6.4 P1(c), and to wording such as the following:</p> <p>Landscaping of parking and circulation areas must have regard to all of the following:</p> <ul style="list-style-type: none"> (a) minimising the visual impact of the parking and circulation areas on the streetscape; (b) minimising any unreasonable loss of amenity of the occupants of adjoining properties; and (c) minimising opportunities for crime or anti-social behaviour though the creation of concealment spaces. <p>Consider how each of these standards further the stated objective and whether:</p> <ul style="list-style-type: none"> 1. additional standards are required to ensure the objective is met. 2. standards that do not further the objective require deletion? 3. The objective requires expansion to capture the standard. <p>And modify as required.</p>
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3. That any response submissions be provided to the Commission and other parties by **5 February 2024** (14 days).

Submissions must be made by email to tpc@planning.tas.gov.au. Once received, the submissions referred to above will be made available under the [relevant assessment](#)¹ on the Commission's website.

Please note that submissions will be published in full, without redaction.

If the hearing is to be reconvened, the Commission will advise the parties and publish a notice.

If you require further information please contact Louise Blyth, Planning Adviser, on 6165 6818.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dan Ford', enclosed in a rectangular box.

Dan Ford
Delegate (Chair)

CC Applicant/Representors

¹ www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/AM-BRI-RZ-2023-004