

BRI-S10.0 West Brighton Agricultural Specific Area Plan

BRI-S10.1 Plan Purpose

The purpose of the West Brighton Agricultural Specific Area Plan is:

- BRI-S10.1.1 To promote an area for horticulture in West Brighton and specifically protected cropping horticulture in the future.
- BRI-S10.1.2 To recognise that commercial sustainability of agricultural enterprises is currently constrained due to fragmented land parcels and lack of access to irrigated water..
- BRI-S10.1.3 To protect the existing rural and agricultural character of the area by requiring agricultural use to accompany residential development.
- BRI-S10.1.4 To provide for new residential use and development only where agricultural use is supported and protected.
- BRI-S10.1.5 To ensure residential use and development is appropriately designed, sited and screened to minimise conflict with existing and potential agricultural uses.

BRI-S10.2 Application of this Plan

- BRI-S10.2.1 The specific area plan applies to the area of land designated as Brighton West Agricultural Specific Area Plan on the overlay maps and shown in Figure BRI-S10.1.
- BRI-S10.2.2 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) Significant Agriculture Zone

as specified in the relevant provision.

BRI-S10.3 Local Area Objectives

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

BRI-S10.4 Definition of Terms

- BRI-S10.4.1 In this Specific Area Plan, unless the contrary intention appears:

Terms	Definition
commercial agricultural use	An agricultural use making or intended to make a profit.

shelterbelt	A native vegetative barrier of at least two staggered rows of trees with a minimum mature height of 15 metres and underplanting with appropriate shrubs, sedges, grasses and ground cover species.
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BRI-S10.5 Use Table

This clause is in substitution for Significant Agriculture Zone – clause 27.2 Use Table.

Use Class	Qualification
No Permit Required	
Natural and cultural values management	
Resource development	(a) Only if for agricultural use, except if: controlled environment agriculture not dependent on soil as a growth medium; (b) forest operations; (c) intensive animal husbandry; (d) tree farming; or (e) plantation forestry.
Utilities	Only if for minor utilities.
Permitted	
Educational and occasional care	Only if for home-based child care in accordance with a licence under the <i>Child Care Act 2001</i> .
Residential	Only if: (a) Home-based business; (b) Replacement of existing dwelling; or (c) If a single dwelling accompanied by a commercial agricultural use
Resource development	Only if controlled environment agriculture not dependent on soil as a growth medium .
Discretionary	
Educational and occasional care	Only if related to agriculture. Except if Permitted.

Use Class	Qualification
Extractive industry	
Food services	Only if for the serving of agricultural produce primarily from the region.
General retail and hire	Only if for the sale of agricultural produce obtained primarily from land within the Brighton West Agricultural Area as defined by this Specific Area Plan.
Research and development	Only if for agricultural research
Resource development	Only if tree farming and plantation forestry in accordance with a Forest Practices Plan and not located on prime agricultural land.
Resource processing	Only if for the treating, processing and packing of produce from the region.
Tourist operation	Only if associated with agricultural use on the property.
Visitor accommodation	Only if backpackers hostel, bed and breakfast establishment, camping and caravan park, holiday cabin, overnight camping area or seasonal workers accommodation.
Utilities	Only if not listed as No Permit Required.
Prohibited	
All other uses	

BRI-S10.6 Use Standards

BRI-S10.6.1 Residential use

This clause is in substitution for Significant Agriculture Zone - clause 27.3.1 Sensitive Use (including residential use)

Objective:	Residential use: a) is accompanied by a commercial agricultural use; and b) does not unreasonably conflict with or fetter non-sensitive use.
Acceptable Solutions	Performance Criteria

<p>A1</p> <p>A residential use is:</p> <ul style="list-style-type: none"> (a) for a home-based business; (b) an extension or replacement of an existing dwelling; or (c) accompanied by an established and ongoing commercial agricultural use on the site. 	<p>P1</p> <p>A residential use must:</p> <ul style="list-style-type: none"> (a) be accompanied by a commercial agricultural use, having regard to: <ul style="list-style-type: none"> i. the ability of the agricultural use to provide an income and contribute to the region's agricultural economy; ii. any site constraints, including but not limited to access to water and soil conditions; iii. any advice from a suitably qualified person; and (b) be located on a site that: <ul style="list-style-type: none"> i. does not confine or constrain existing or potential agricultural use on adjoining properties; ii. minimises constraint of potential agricultural use on the site.
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BRI-S10.7 Development Standards for Buildings and Works

BRI-S10.7.1 Setbacks

This clause is in substitution for Significant Agriculture Zone - clause 27.4.2 Setback.

Objective:	That the siting of buildings minimises potential conflict with non-sensitive use on adjoining properties.	
	Acceptable Solutions	Performance Criteria
	<p>A1</p> <p>Buildings for a residential use must be located between 5m and 30m of a frontage.</p>	<p>P1</p> <p>Buildings for a residential use must be sited so as not to conflict or interfere with an agricultural use, having regard to:</p> <ul style="list-style-type: none"> (a) the size, shape and topography of the site; (b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties; (c) the location of existing buildings on the site; (d) the existing and potential use of adjoining properties; (e) any proposed attenuation measures; and

	(f) any buffers created by natural or other features.
<p>A2 Building for a residential use must be setback from side and rear boundaries:</p> <p>(a) not less than 40m; and</p> <p>(b) include a shelterbelt for twice the length of the building where within 100m of an agricultural use on an adjoining property.</p>	<p>P2 Buildings for a residential use must be sited so as not to conflict or interfere with an agricultural use, having regard to:</p> <p>(a) the size, shape and topography of the site;</p> <p>(b) the prevailing setbacks of any existing buildings for sensitive uses on adjoining properties;</p> <p>(c) the location of existing buildings on the site;</p> <p>(d) the existing and potential use of adjoining properties;</p> <p>(e) any proposed attenuation measures; and</p> <p>(f) any buffers created by natural or other features.</p>
<p>A3 Buildings, other than buildings for a residential use, must have a setback from all boundaries of:</p> <p>(a) not less than 5m; or</p> <p>(b) if the setback of an existing building is within 5m, not less than the existing building.</p>	<p>P3 Buildings must be sited to provide adequate vehicle access and not cause an unreasonable impact on existing use on adjoining properties, having regard to:</p> <p>(a) the bulk and form of the building;</p> <p>(b) the nature of existing use on the adjoining properties;</p> <p>(c) separation from existing use on the adjoining properties; and</p> <p>(a) (d) any buffers created by natural or other features</p>

BRI-S10.8 Development Standards for Subdivision

This sub-clause is not used in this Specific Area Plan

Figure BRI-S10.1 The Brighton West Agricultural Specific Area Plan area

