



Application for Planning Approval

Land Use Planning and Approvals Act 1993

APPLICATION NO.

SA2023/032

LOCATION OF AFFECTED AREA

162 BRIGHTON ROAD, BRIGHTON

DESCRIPTION OF DEVELOPMENT PROPOSAL

SUBDIVISION (2 LOTS)

A COPY OF THE DEVELOPMENT APPLICATION MAY BE VIEWED AT www.brighton.tas.gov.au AND AT THE COUNCIL OFFICES, 1 TIVOLI ROAD, OLD BEACH, BETWEEN 8:15 A.M. AND 4:45 P.M., MONDAY TO FRIDAY OR VIA THE QR CODE BELOW. ANY PERSON MAY MAKE WRITTEN REPRESENTATIONS CONCERNING AN APPLICATION UNTIL 4:45 P.M. ON **27/11/2023**. ADDRESSED TO THE GENERAL MANAGER AT 1 TIVOLI ROAD, OLD BEACH, 7017 OR BY EMAIL AT development@brighton.tas.gov.au.

REPRESENTATIONS SHOULD INCLUDE A DAYTIME TELEPHONE NUMBER TO ALLOW COUNCIL OFFICERS TO DISCUSS, IF NECESSARY, ANY MATTERS RAISED.

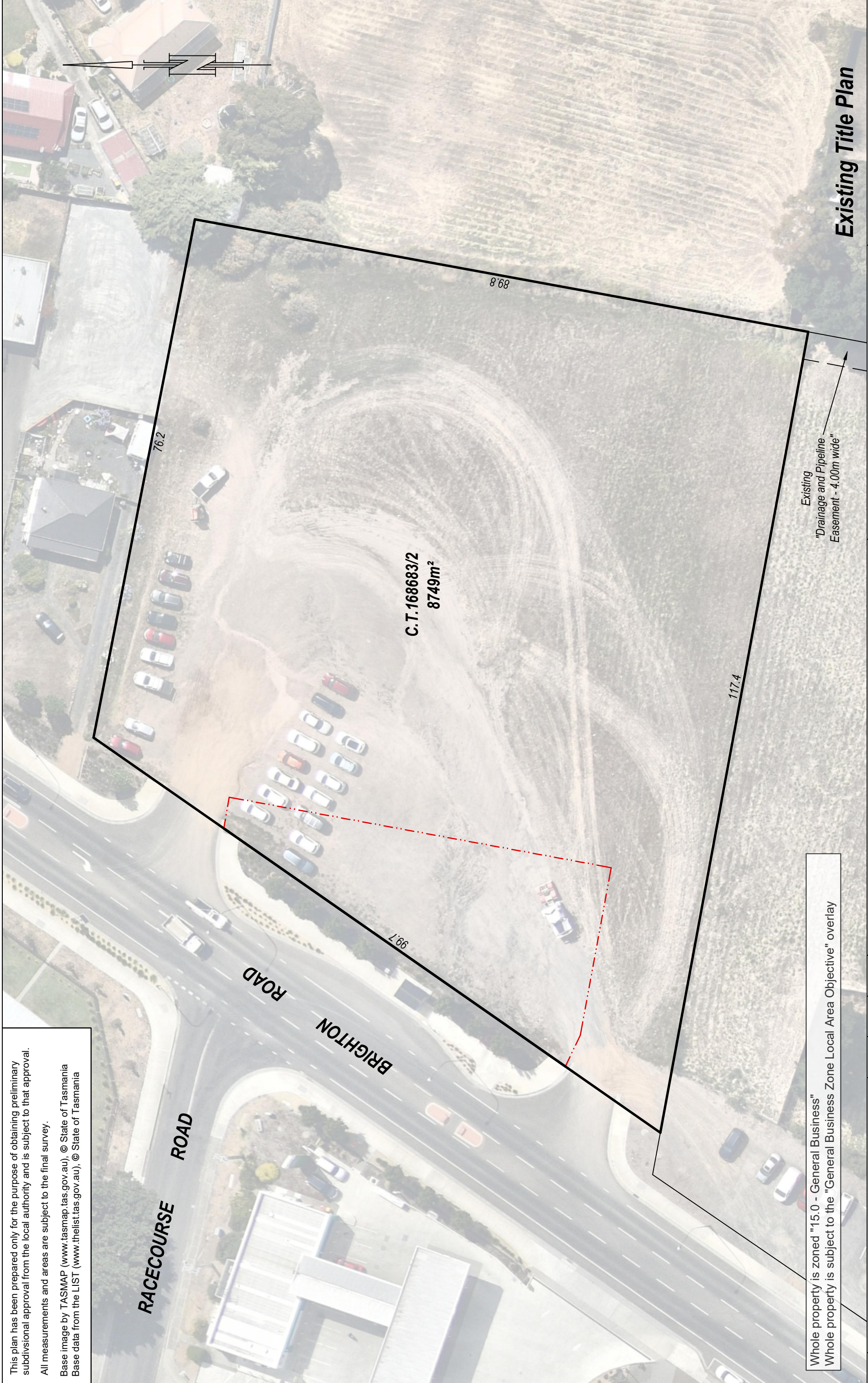
JAMES DRYBURGH
General Manager



Brighton
going places

This plan has been prepared only for the purpose of obtaining preliminary subdivisional approval from the local authority and is subject to that approval. All measurements and areas are subject to the final survey.

Base image by TASMAR (www.tasmap.tas.gov.au), © State of Tasmania
 Base data from the LIST (www.thelist.tas.gov.au), © State of Tasmania



Whole property is zoned "15.0 - General Business"
 Whole property is subject to the "General Business Zone Local Area Objective" overlay

Existing Title Plan

REV	AMENDMENTS	DRAWN	DATE	APPR.
E				
D				
C				
B	minor changes	AB	1-11-23	AB
A	easement added	AB	31-8-23	AB

ROGERSON & BIRCH SURVEYORS

UNIT 1, 2 KENNEDY DRIVE
 CAMBRIDGE 7170
 PHONE: (03)6248 5898
 EMAIL: admin@rbsurveyors.com
 WEB: www.rbsurveyors.com

OWNER: Tasmanian Independent Retailers Co-operative Society Limited
TITLE REFERENCE: C.T.168683/2
LOCATION: 162 Brighton Road
BRIGHTON

Proposed Subdivision

Date: 4-7-2023
Reference: BRIGH24
Municipality: Brighton
Scale: 1:500 (A3)

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RACECOURSE ROAD

BRIGHTON ROAD

76.2

22.9

4.6

60.1

56.0

Balance 2
7,785m²

Public Open Space 1
964m²

5.0

24.6

16.7

117.4

8.68

Existing
"Drainage and Pipeline
Easement - 4.00m wide"

Development Standards for Subdivision
 15.5.1 General Business
 A1 - complies. Lots are greater than 100m² & Lot 100 is required for public use by a council.
 A2 - complies. Each lot has at least 3.6m of frontage
 A3 - complies. See engineering plans.

Resultant Titles Plan

REV	AMENDMENTS	DRAWN	DATE	APPR.
E				
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APPLICATION FOR SUBDIVISION (2 LOTS) – 162 BRIGHTON ROAD, BRIGHTON

1. *Executive Summary*

Council approval is being sought for a 2 Lot Subdivision at 162 Brighton Road, Brighton. This planning assessment has been provided in support of the proposed development.

Development Details:

Property Address	162 Brighton Road, Brighton
Proposal	2 Lot Subdivision with one lot is proposed for Public Open Space. Balance lot for IGA supermarket development.
Land Area	8677m ²
Land Owner/s	Tasmanian Independent Retailers Co-Operative Society Limited
Applicant	Brighton Council

PID/CT	5024458 / Folio 168683 Volume 2
Planning Ordinance	Tasmanian Planning Scheme – Brighton
Land Zoning	General Business
Specific Areas Plans	Not Applicable
General Overlays	General Business Zone Local Area Object
Code Overlays	Not Applicable

2. INTRODUCTION/CONTEXT

Council approval is being sought for a 2 Lot Subdivision at 162 Brighton Road, Brighton. In support of the proposal, the following associated documents have been provided in conjunction with this planning assessment:

- The Title Plan and Folio
- Proposed Plan of Subdivision
- Brighton Town Square – Landscape Concept Plan for DA
- Servicing Plan

2.1 The Land



Figure 1. Existing aerial Image of the subject land (The LIST map, 2023).

The subject land is at 162 Brighton Road, Brighton (CT 168683/2). The subject land is trapeze in shape and has a total area of 8677m², as illustrated in Figure 1. The land is relatively flat but slope gently down towards the East of the property. The subject land is currently a vacant lot utilized for informal car parking by local businesses. The subjected land adjoins Brighton Road at the West boundary, General Residential Zone lots at the South and East boundaries and residential development at 168 Brighton Road on the North boundary.

2.2 Existing Development

The subject land is a vacant lot without any existing development.

3. THE PROPOSAL

The Planning Approval for 1 lot and Balance Subdivision is sought in accordance with Section 57 of the Land Use Planning and Approvals Act 1993 and Clause 6.8.1 of the Tasmanian Planning Scheme – Brighton

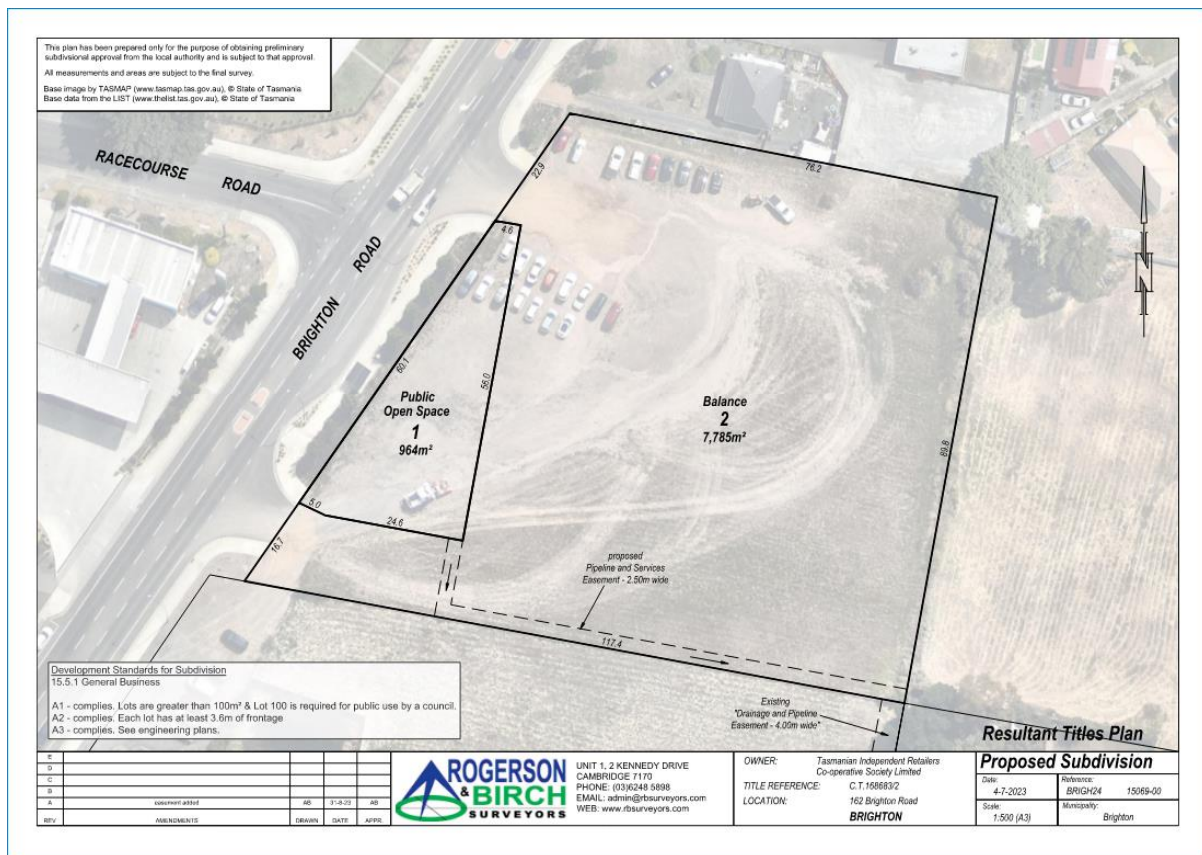


Figure 2. Proposed Plan of Subdivision (Rogerson & Birch, 2023).

It is proposed that the land of title CT 168683/2 be subdivided to create one additional lot for Public Open Space, to facilitate the development of the Brighton Town Square by Brighton Council and the Balance lot for the development of the IGA supermarket. The Brighton Town Square lot is in accordance with the concept plan prepared by Play Street, dated August 2021.



BRIGHTON TOWN SQUARE | CONCEPT PLAN

1:200 (A3) BRIGHTON TOWN SQUARE, TAS 7017 | VERSION 1 | PAGE 1 | CONCEPT | AUGUST 2021

Figure 3. Brighton Town Square Concept Plans (Play Street, 2021).

The IGA supermarket is already approved under DA 2021/336 and was designed to incorporate the Brighton Town Square.

It is proposed that the Balance lot have a total area of 7,785m² and will contain the proposed IGA supermarket, associated structure, accesses, and available services.

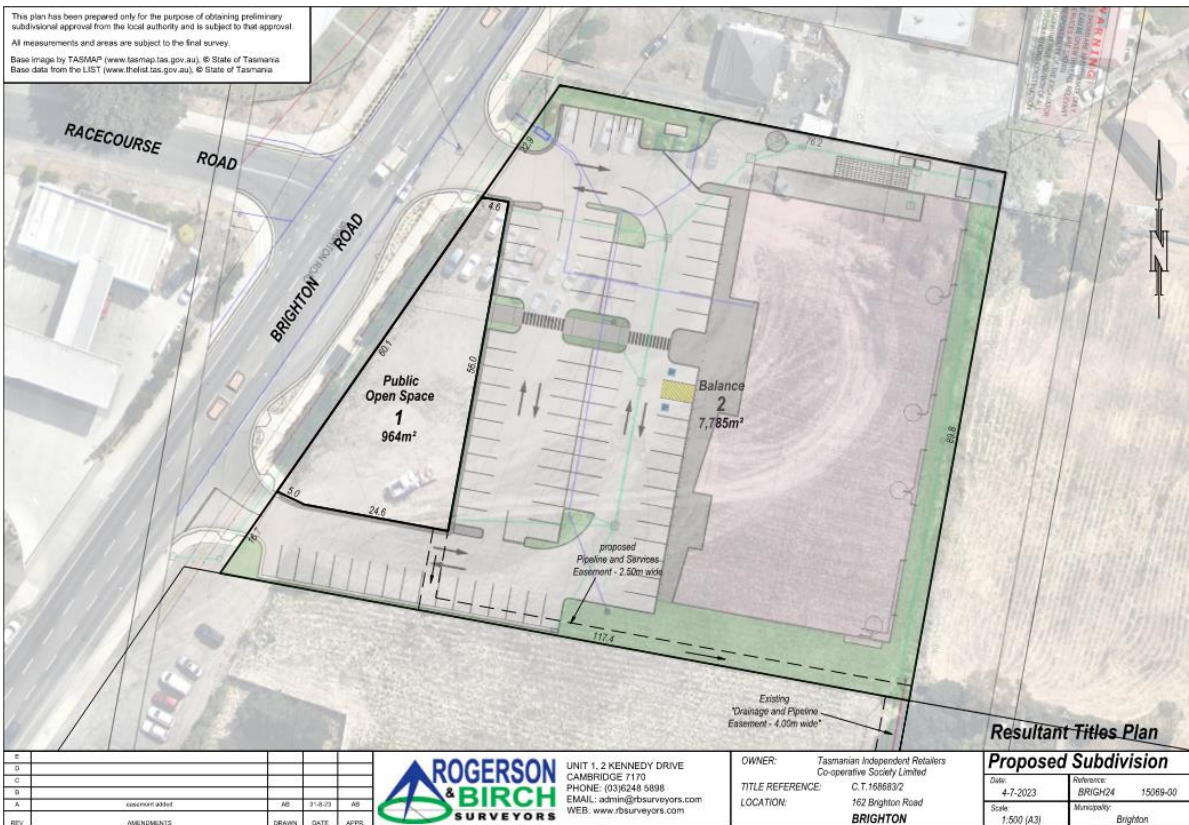


Figure 4. Proposed Servicing Plans (Rogerson & Birch, 2023).

It is proposed that the Public Open Space lot is to have a total area of 964m² and will be transferred to Brighton Council as part of an agreement with Tasmanian Independent Retailers (I.e., IGA) and contain the proposed Brighton Town Square development.

4. PLANNING ASSESSMENT

This current proposal for subdivision has been developed in accordance with the Tasmanian Planning Scheme – Brighton.

4.1 Exemptions

The Brighton Town Square is exempt under *Table 4.2 Exempt infrastructure use or development*:

4.2.7	minor infrastructure	Provision, maintenance and modification of footpaths, cycle paths, playground equipment, seating, shelters, bus stops and bus shelters, street lighting, telephone booths, public toilets, post boxes, cycle racks, fire hydrants, drinking fountains, waste or recycling bins, public art, and the like by, or on behalf of, the Crown, a council or a State authority.
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4.2 Use Class

Not applicable

4.3 Zoning

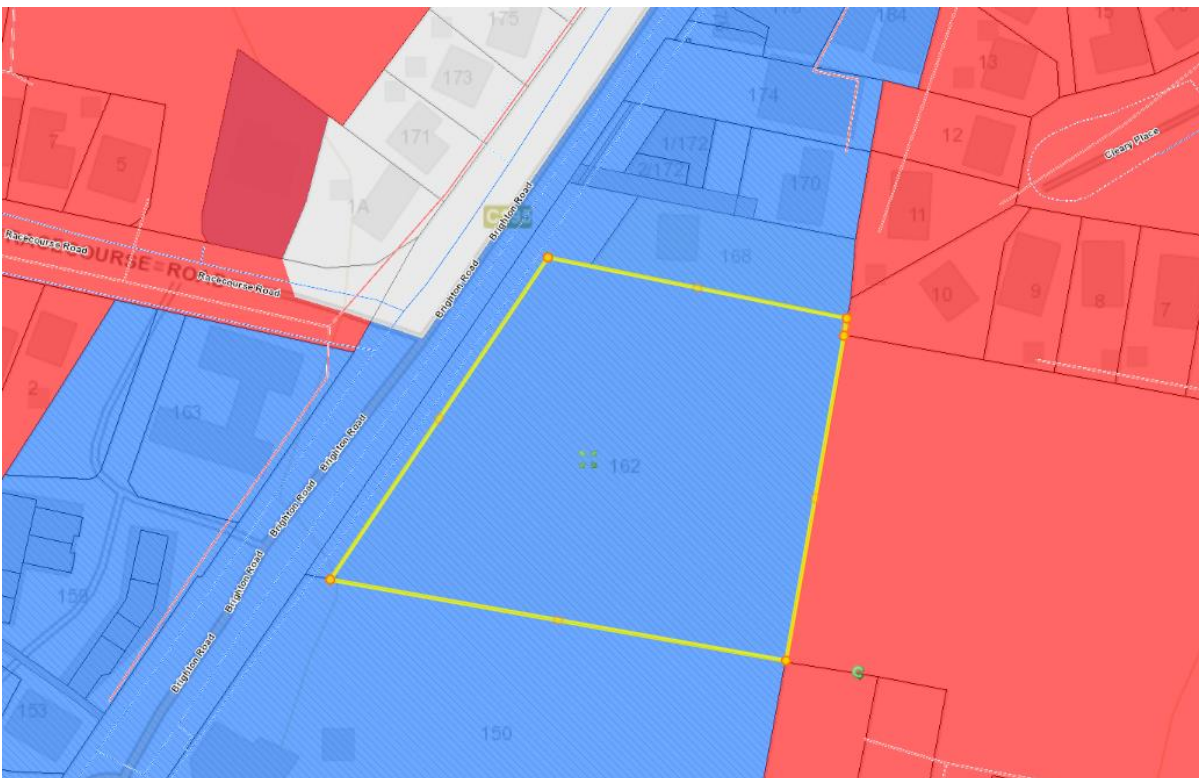


Figure 5. Zoning identification of the subject land and surrounds (The LIST map, 2023).

The subject land is located within the General Business Zone. Surrounding zones include the General Residential Zone, General Business Zone and the Mixed Use Zone, as shown in Figure (5) above.

The subject land is within the BRI-15.3 Brighton Local Provisions Schedule – Local Area Objectives – Brighton Town Centre. The local area objectives of Brighton Town Centre are to:

‘develop the Brighton town centre as a Rural Services Centre for the surrounding region and encourage consolidation of the town centre and provide a mix of uses, including

retail, commercial, administrative and community services that complement this function and provide for the needs of the local community’.

It is submitted that the proposed subdivision does not conflict with the Local Area Objectives as the proposed Town Square will provide a social gathering place for the local community.

4.4 General Business Zone Standards

15.5 Development Standards for Subdivision

15.5.1 Lot Design

Objective	That each lot: (a) has an area and dimensions appropriate for use and development in the zone; and (b) is provided with appropriate frontage to a road.	
Acceptable Solutions	Performance Criteria	
A1 Each lot, or a lot proposed in a plan of subdivision, must: (a) have an area of not less than 100m ² and existing buildings are consistent with the setback required by clause 15.4.2 A1 and A2; (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.		
A2 Each lot, or a lot proposed in a plan of subdivision, must have a frontage, or legal connection to a road by a right of carriageway, of not less than 3.6m		

<p>A3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a vehicular access from the boundary of the lot to a road in accordance with the requirements of the road authority</p>	<p>P3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with reasonable vehicular access to a boundary of a lot or building area on the lot, if any, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the distance between the lot or building area and the carriageway; (c) the nature of the road and the traffic, including pedestrians; and (d) the pattern of development existing on established properties in the area.
<p>Comment</p> <p>Acceptable Solution A1 is satisfied as both the proposed Public Open Space lot and the balance lot have a site area exceeding 100m².</p> <p>Acceptable Solution A2 is satisfied as both the proposed Public Open Space lot and the balance lot have a frontage and/or legal connection to Brighton Road of more than 3.6m wide.</p> <p>Acceptable Solution A3 is not satisfied as the proposed Public Open Space lot is not provided with vehicular access from the boundary of the lot to Brighton Road. However, the proposal demonstrates compliance with the Performance Criteria P3. The lot is being used for Open Space and could be reasonably accessed by a vehicle (for maintenance when required) from Brighton Road or through the proposed IGA's car park. The balance lot is provided with vehicular access from Brighton Road.</p>	

15.5.2 Services

Objective	That the subdivision of land provides services for the future use and development of the land.
Acceptable Solutions	Performance Criteria
A1	

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 connection to a full water supply service.	
A2 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 connection to a reticulated sewerage system.	
A3 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 capable of connecting to a public stormwater system.	
<p>Comment</p> <p>Acceptable Solution A1 is satisfied as reticulated water services is available to both of the proposed Public Open Space lot and the balance lot.</p> <p>Acceptable Solution A2 is satisfied as reticulated sewerage services is available to both of the proposed Public Open Space lot and the balance lot.</p> <p>Acceptable Solution A3 is satisfied as public stormwater services is available to both of the proposed Public Open Space lot and the balance lot.</p>	

4.5 Codes

Code	Comments
C1.0 Signs Code	N/A
C2.0 Parking and Sustainable Transport Code	<i>Applicable – Please refer to planning compliance assessment below</i>
C3.0 Road and Railway Assets Code	N/A
C4.0 Electricity Transmission Infrastructure Protection Code	N/A

C5.0 Telecommunications Code	N/A
C6.0 Local Historic Heritage Code	N/A
C7.0 Natural Assets Code	N/A
C8.0 Scenic Protection Code	N/A
C9.0 Attenuation Code	N/A
C10.0 Coastal Erosion Hazard Code	N/A
C11.0 Coastal Inundation Hazard Code	N/A
C12.0 Flood-prone Areas Hazard Code	N/A
C13.0 Bushfire-prone Areas Code	N/A
C14.0 Potentially Contaminated Land Code	N/A
C15.0 Landslip Hazard Code	N/A
C16.0 Safeguarding of Airports Code	N/A

4.6 Code standards

C2.0 Parking and Sustainable Transport Code

All parking and access for the Balance lot have been approved under Permit DA 2021/336, which will provide access to parking for the Town Square as required..

The passive recreational use attributed to the Brighton Town Square development does not require the provision of any car parking spaces pursuant to Table C2.1 of the Code.

The standards of the Parking and Sustainable Transport Code are considered to be satisfied.

5. Conclusion

The planning assessment and supporting documentation provided demonstrate that the development proposal for the Public Open Space Lot and Balance Subdivision at 162 Brighton Road, Brighton, meets all requirements of the Tasmanian Planning Scheme – Brighton and is recommended for approval.

Yours faithfully,

Kien Tran