



**Brighton
Council**

ATTACHMENTS

PLANNING AUTHORITY

2 SEPTEMBER 2025



BRI-S13.1 Plan Purpose

The purpose of the Boyer Road Specific Area Plan is:

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| BRI-S13.1.1 | To implement the Boyer Road Development Framework. |
| BRI-S13.1.2 | To optimise and facilitate future development potential in a staged and orderly manner in general accordance with the Boyer Road Development Framework. |
| BRI-S13.1.3 | To provide for a central neighbourhood park and linear open space network in accordance with the Boyer Road Development Framework. |
| BRI-S13.1.4 | To coordinate infrastructure delivery and interconnectivity between allotments. |
| BRI-S13.1.5 | To protect registered Aboriginal and Historic Cultural Heritage values from incompatible development. |
| BRI-S13.1.6 | To promote environmental sustainability and climate resilience through: <ul style="list-style-type: none"> (a) Retention of existing native vegetation; (b) Reduction in the urban heat island effect by incorporating green infrastructure and using appropriate native species to enhance biodiversity; (c) Minimising the need to alter the natural topography of the land; (d) Maximising opportunities to capture and reuse stormwater; (e) Restoration of riparian corridors that protects and enhances the water quality of the intermittent creek system; (f) Adequate separation from natural hazards such as bushfire risk; and (g) Maximising energy efficiency through the orientation of lots to maximise opportunities for solar access and cross ventilation. |
| BRI-S13.1.7 | To promote high levels of residential amenity through an active, safe and attractive urban environment based on: <ul style="list-style-type: none"> (a) housing design that achieves visual build quality, liveability, diversity and a positive contribution to the streetscape; (b) a lot layout that achieves lot diversity, responds to natural topography, and maximises solar access; (c) best practice street design that encourages a pedestrian-orientated environment; (d) the provision of high quality landscaping in the public realm and a connected open space network that encourages active transport; (e) a considered interface between residential development and adjoining agricultural land, rural residential uses, and native vegetation; (f) retention and enhancement of scenic qualities, including vegetation and view corridors; and (g) non-residential development that contributes positively to the public realm. |
| BRI-S13.1.8 | To guide the transition of residential densities, compatible with the character of established development on adjacent land while maintaining an overall net density compatible with the efficient utilisation of land and infrastructure. |
| BRI-S13.1.9 | To provide a safe and logical road network that: |

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| | <p>(a) protects the safety and efficiency of Boyer Road by only utilising pre-determined site access points with safe intersection site distances;</p> <p>(b) utilises a functional road hierarchy, with streets designed to encourage a low speed environment in accordance with their movement and place function.</p> |
| BRI-S13.1.10 | In Precinct A, to facilitate higher density subdivision to enable affordable housing delivery and a diversity of housing types including medium density housing typologies. |
| BRI-S13.1.11 | In Precinct B, to provide for predominantly traditional allotments with opportunities for housing diversity. |
| BRI-S13.1.12 | In Precinct C, to provide for larger allotments that allow for an appropriate transition to land in adjacent zones, respond to site constraints, and manage the risk of bushfire. |
| BRI-S13.1.13 | <p>In Precinct D, to provide:</p> <p>(a) For a mixed-use precinct that offers a mix of commercial, retail and community uses of a scale to service the local catchment;</p> <p>(b) Non-residential development that contributes positively to the public realm and maintains residential amenity;</p> <p>(c) Medium density housing of a scale appropriate to the desired mixed use of the precinct;</p> <p>(d) A visually interesting gateway to the Boyer Road Specific Area Plan with a built environment that responds positively to the public realm; and</p> <p>(e) To encourage activity at pedestrian levels with active frontages.</p> |

BRI-S13.2 Application of this Plan

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| BRI-S13.2.1 | The specific area plan applies to the area of land designated as Boyer Road Specific Area Plan on the overlay maps and shown in Figure BRI-S13.1. |
| BRI-S13.2.2 | In the area of land this plan applies to, the provisions of the specific area plan are in substitution for and in addition to the provisions of the General Residential Zone, Landscape Conservation Zone and Parking and Sustainable Transport Code, as specified in the relevant provision. |

BRI-S13.3 Local Area Objectives – Precinct D

| Sub-clause | Area Description | Local Area Objectives |
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| BRI-S13.3.1 | Precinct D as shown on Figure BRI-S13.3. | To provide a mix of uses to service the local catchment whilst maintaining the primacy of higher order activity centers such as Old Main Road. |

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| BRI-S13.3.2 | Precinct D as shown on Figure BRI-S13.3. | To encourage development that provides a high quality urban design interface with the streetscape and public open space. |
| BRI-S13.3.3 | Precinct D as shown on Figure BRI-S13.3. | To encourage medium density housing which supports the mixed use nature of precinct. |
| BRI-S13.3.4 | Precinct D as shown on Figure BRI-S13.3. | To encourage the siting of use and development consistent with the Development Framework D. |
| BRI-S13.3.5 | Precinct D as shown on Figure BRI-S13.3. | To provide a mixed use center which is accessible by various modes of transportation, including active transport, and which provides good pedestrian connectivity within the centre. |

BRI-S13.4 Definition of Terms

BRI-S13.4.1 In this Specific Area Plan, unless the contrary intention appears:

| Terms | Definition |
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| Design Response Report | Means a report by a suitably qualified person that provides an explanation and demonstration of how a proposed building development and/or car parking layout: <ul style="list-style-type: none"> (a) is informed by, and responds to, the site and context analysis; (b) enhances and responds positively to the streetscape character and residential amenity; (c) is consistent with: <ul style="list-style-type: none"> (i) the purpose of this specific area plan; (ii) the purpose of the relevant Precinct; (iii) the local area objectives if the site is in Precinct D; and (iv) Development Framework D if the site is within Precinct D. |
| Development Framework | Means the area of land shown Figure in BRI-S13.2. |
| Precinct D Development Framework | Means the area of land shown Figure in BRI-S13.3. |
| Front building elevation | Means the front of a building that faces the street. |
| Medium Density | Means a broad range of multiple-dwelling housing types including small lot housing, terraces and townhouses. |
| Precinct A | Means the area of land shown in Figure BRI-S13.4 as Precinct A |
| Precinct B | Means the area of land shown in Figure BRI-S13.4 as Precinct B |
| Precinct C | Means the area of land shown in Figure BRI-S13.4 as Precinct C |
| Precinct D | Means the area of land shown in Figure BRI-S13.4 as Precinct D |
| Townhouse | Means a two-storey single or multiple dwelling with a direct frontage to a street and comprising one of two or more adjoining dwellings |

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| | erected side by side and abutting each other but not joined by way of a party wall/s. |
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BRI-S13.5 Use Table

| Use Class | Qualification |
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| No Permit Required | |
| Natural and Cultural Values Management | |
| Passive Recreation | |
| Residential | If: (a) For a single dwelling not in Precinct D. |
| Utilities | If for minor utilities |
| Permitted | |
| Business and Professional Services | If: (a) In Precinct D; and (b) For a consulting room, medical centre, veterinary surgery, child health clinic, or residential support services. |
| Educational and Occasional Care | If: (a) In Precinct D; and (b) For a childcare centre. |
| Food Services | If: (a) In Precinct D; and (b) Not for a take-away food premises with a drive through facility |
| General Retail and Hire | If: (a) In Precinct D; and (b) For a local shop; or (c) For a supermarket with a floor area not greater than 550m ² . |
| Residential | If: (a) Not listed as No Permit Required; and (b) If in Precinct D, not for: i. a single dwelling; ii. boarding house; iii. respite centre; iv. residential care facility; or v. a retirement village. (c) If in Precinct C, not for townhouses. |
| Visitor Accommodation | |
| Discretionary | |
| Community Meeting and Entertainment | If: (a) In Precinct D; and (b) For a place of worship, arts and craft centre or public hall |
| Emergency Services | If in Precinct D |
| Residential | If in Precinct D and not listed as No Permit Required or Permitted. |
| Utilities | If not listed as No Permit Required |

| Prohibited | |
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| All other uses | |

BRI-S13.6 Use Standards – Precinct D

BRI-S13.6.1 All uses

This clause is in addition to General Residential Zone - clause 8.3 Use Standards

| Objective | That uses do not cause unreasonable loss of amenity to adjacent residential uses. | |
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| Acceptable Solutions | | Performance Criteria |
| A1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays. | P1 Hours of operation of a use, excluding Emergency Services, Natural and Cultural Values Management, Passive Recreation, Residential, Utilities or Visitor Accommodation, must not cause an unreasonable loss of amenity to adjacent residential uses, having regard to: (a) the timing, duration or extent of vehicle movements; and (b) noise, lighting or other emissions. | |
| A2 External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, must: (a) not operate within the hours of 11.00pm to 6.00am, excluding any security lighting; and (b) if for security lighting, be baffled so that direct light does not extend into the adjoining property in those zones. | P2 External lighting for a use, excluding Natural and Cultural Values Management, Passive Recreation, Residential or Visitor Accommodation, must not cause an unreasonable loss of amenity to adjacent residential uses, having regard to: (a) the level of illumination and duration of lighting; and (b) the distance to habitable rooms of an adjacent dwelling. | |
| A3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding Emergency Services, Residential or Visitor Accommodation, must be within the hours of: (a) 7.00am to 9.00pm Monday to Saturday; and (b) 8.00am to 9.00pm Sunday and public holidays. | P3 Commercial vehicle movements and the unloading and loading of commercial vehicles for a use, excluding for Emergency Services, Residential or Visitor Accommodation, must not cause an unreasonable loss of amenity to adjacent residential uses, having regard to: (a) the time and duration of commercial vehicle movements; (b) the number and frequency of commercial vehicle movements; | |

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| | <ul style="list-style-type: none"> (c) the size of commercial vehicles involved; (d) manoeuvring required by the commercial vehicles, including the amount of reversing and associated warning noise; (e) any noise mitigation measures between the vehicle movement areas and the residential zone; and (f) potential conflicts with other traffic. |
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BRI-S13.6.2 Discretionary Uses

This clause is in substitution for General Residential Zone – clause 8.3.1 Discretionary uses.

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| Objective: | That uses listed as Discretionary do not: <ul style="list-style-type: none"> (a) cause unreasonable loss of amenity to adjacent residential uses; and (b) compromise or preclude the mixed-use nature of the precinct. |
| Acceptable Solutions | Performance Criteria |
| A1 No Acceptable Solution. | P1 A non-residential use listed as Discretionary must: <ul style="list-style-type: none"> (a) not cause an unreasonable loss of amenity to adjacent residential uses; and (b) be of an intensity that respects the character of the area. |
| A2 No Acceptable Solution. | P2 A single dwelling must: <ul style="list-style-type: none"> (a) Not compromise or preclude the mixed-use development of the precinct in accordance with the plan purpose and the Precinct D Development Framework; and (b) Be located and designed to mitigate adverse effects from existing non-residential uses in the precinct. |

BRI-S13.7 Development Standards for Buildings and Works

BRI-S13.7.1 Building and works - all precincts

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings.

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| Objective: | That buildings and works do not prejudice the efficient future utilisation of land for urban development. |
| Acceptable Solutions | Performance Criteria |
| A1 | P1 |

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| <p>Buildings and works must:</p> <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 (c) be on a lot, excluding a balance lot, that has been created after the date this Specific Area Plan first came into effect. | <p>Buildings and works must not preclude or hinder the effective and efficient implementation of the Development Framework, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) any existing access arrangements; (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-S13.8 Development Standards for Dwellings

BRI-S13.8.1 Residential Density for Multiple Dwellings

This clause is in substitution for General Residential Zone – clause 8.4.1 Residential density for multiple dwellings

| Objective: | <p>The density of multiple dwellings:</p> <ul style="list-style-type: none"> (a) is compatible with the transition of densities sought by the Development Framework; (b) is compatible with the efficient utilisation of land and infrastructure; and (c) promotes housing diversity nearby to services. |
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| Acceptable Solutions | Performance Criteria |
| <p>A1</p> <p>Multiple dwellings must have a site area per dwelling of not less than:</p> <ul style="list-style-type: none"> (a) 200m² for Precinct A; (b) 400m² for Precinct B; (c) 800m² for Precinct C; and (d) 200m² for Precinct D. | <p>P1</p> <p>Multiple dwellings must only have a site area per dwelling that is less than the Acceptable Solution if the development will not exceed the capacity of infrastructure services and</p> <ul style="list-style-type: none"> (a) It promotes housing diversity; (b) is compatible with the density of existing development on established properties in the area; (c) For Precincts A, B and D, is consistent with the housing typologies shown in Figures BRI-S13.5 – 13.8; (d) the site is within 400m walking distance of a shop, medical centre, community centre or a public transport stop; (e) is consistent with the Development Framework regarding lots identified for diverse housing typologies; |

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| | <p>(f) if in Precinct C, the site area per dwelling is not less than 700m² and the development can manage site constraints; and</p> <p>(g) if in Precinct D, is consistent with Development Precinct D and Local Area Objectives.</p> |
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BRI-S13.8.2 Setbacks and building envelope for all dwellings – Precinct A

This clause is in substitution for General Residential Zone – clause 8.4.2 Setbacks and building envelope for all dwellings.

| Objective: | <p>The siting and scale of dwellings:</p> <ul style="list-style-type: none"> (a) provides for greater diversity of dwelling types to support a wide range of households; (b) provides reasonably consistent separation between dwellings and the primary frontage; (c) provides consistency in the apparent scale, bulk, massing and proportion of dwellings; (d) provides height and setback compatible with the streetscape and not causing unreasonable loss of amenity; (e) provides separation from dwellings on the same site or adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and (f) Provides good quality dwelling design and landscaping which contributes positively to the streetscape and provides for residential amenity. |
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| Acceptable Solutions | Performance Criteria |
| <p>A1</p> <p>Unless within a building area on a sealed plan, a dwelling, excluding garages, carports and protrusions that extend not more than 0.9m into the frontage setback, must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, not less than 3m, or, if the setback from the primary frontage is less than 3m, not less than the setback, from the primary frontage, of any existing dwelling on the site; (b) if the frontage is not a primary frontage, not less than 2m, or, if the setback from the frontage is less than 2m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site; (c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the | <p>P1</p> <p>A dwelling must have a setback from a frontage so that the development is compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) topography of the site; (b) the building line within the streetscape and prevailing setbacks of buildings on nearby properties; (c) any overshadowing of habitable rooms and private open space on adjoining properties or public places created by a greater setback; (d) the height, bulk and form when viewed from adjoining properties;. and (e) for townhouse, the prevailing setbacks of existing townhouses on adjoining lots. |

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| <p>equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p> | |
| <p>A2</p> <p>A dwelling, excluding townhouses, outbuildings with a building height of not more than 2.4m, and protrusions that extend not more than 0.9m, must:</p> <ul style="list-style-type: none"> (a) Be contained within a building envelope (refer to Figures BRI-S13.9, 13.10 and 13.11) determined by: <ul style="list-style-type: none"> (i) A distance equal to the frontage setback or for an internal lot, a distance of not less than 3.0m from the rear boundary or a property with an adjoining frontage; and (ii) Projecting a line at an angle of 45 degrees from the horizontal at a height of 3.5m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and (b) Be setback not less than 1.5m from a side or rear boundary up to a wall height of 3.5m that extends: <ul style="list-style-type: none"> (i) no more than 9.0m in length; or (i) not exceeding two-thirds the length of the side or rear boundary, whichever is the lesser. | <p>P2</p> <p>A dwelling must be sited so that there is no unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space on the site; (f) sunlight to private open space and windows of habitable rooms on adjoining properties; and (g) If for multiple dwellings, a design response report. |
| <p>A3</p> <p>A dwelling in a townhouse arrangement must have a building height not more than 8.5m.</p> | <p>P3</p> <p>A dwelling in a townhouse arrangement must be compatible with the heights of other buildings in the streetscape, and not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) visual impacts caused by the apparent scale of the proposal when viewed from an adjoining property; |

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| | <ul style="list-style-type: none"> (b) the height of buildings on the site and adjacent properties; (d) sunlight to private open space and dwellings on adjoining properties; (f) the development potential of buildings in the streetscape and its desired future character; and (g) A design response report. |
| <p>A4</p> <p>Except where a side wall directly abuts the wall of another dwelling within the same townhouse arrangement, side setbacks for a dwelling in a townhouse arrangement must:</p> <ul style="list-style-type: none"> (a) where the wall does not exceed 3.5m in height, a side setback of not less than 1.0m; and (b) where the wall exceeds 3.5m in height, a side setback: <ul style="list-style-type: none"> (i) not less than 2.0m; or (ii) 0.5m for every metre in height above 3.5 metres whichever is the greater. | <p>P4</p> <p>A dwelling in a townhouse arrangement must be sited so that there is no unreasonable loss of amenity to adjoining properties and achieves a reasonable design outcome sympathetic to the site and surrounds, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space on the site; (f) access to sunlight to private open space and windows of habitable rooms on adjoining properties; (g) minimised overlooking into adjoining properties through appropriate siting or design of windows, balconies, and private open space; (h) compatibility with the housing typologies shown in Figure BRI 13.5 and 13.6; and (i) a design response report. |
| <p>A5</p> <p>A dwelling in a townhouse arrangement must:</p> <ul style="list-style-type: none"> (a) have a rear setback not less than 3.0m for the first building level, or 0m where the rear boundary abuts a laneway; and (b) not less than 5.0m for any second building level, or 3.0m where the rear boundary abuts a laneway. | <p>P5</p> <p>A dwelling in a townhouse arrangement must be sited so that there is no unreasonable loss of amenity to adjoining properties, and achieves a reasonable design outcome sympathetic to the site and surrounds, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; |

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| | <ul style="list-style-type: none"> (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space on the site; (f) access to sunlight of private open space and windows of habitable rooms on adjoining properties; (g) minimised overlooking into adjoining properties through appropriate siting or design of windows, balconies, and private open space; (h) compatibility with the housing typologies shown in Figure BRI 13.5 and 13.6; and (i) a design response report. |
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BRI-S13.8.3 Setbacks and building envelope for all dwellings – Precinct B

This clause is in substitution for General Residential Zone – clause 8.4.2 Setbacks and building envelope for all dwellings

| Objective: | <p>The siting and scale of dwellings:</p> <ul style="list-style-type: none"> (a) Provides reasonably consistent separation between dwellings and the primary frontage; (b) Provides consistency in the apparent scale, bulk, massing and proportion of dwellings; (c) Provides height and setback compatible with the streetscape and not causing unreasonable loss of amenity; (d) Provides separation from dwellings on the same site or adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; (e) Provides reasonable access to sunlight for existing solar energy installation; and (f) Provides good quality dwelling design and landscaping which contributes positively to the streetscape and provides for residential amenity. |
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| Acceptable Solutions | Performance Criteria |
| <p>A1</p> <p>A dwelling, excluding garages, carports and protrusions that extend not more than 0.9m (such as eaves, steps, porches, and awnings), must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, not less than 4.5m, or, if the setback from the primary frontage is less than 4.5m, | <p>P1</p> <p>A dwelling must have a setback from a frontage so that the development is compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) topography of the site; |

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| <p>not less than the setback, from the primary frontage, of any existing dwelling on the site;</p> <p>(b) if the frontage is not a primary frontage, not less than 3m, or, if the setback from the frontage is less than 3m, not less than the setback, from a frontage that is not a primary frontage, of any existing dwelling on the site;</p> <p>(c) if for a vacant site and there are existing dwellings on adjoining properties on the same street, not more than the greater, or less than the lesser, setback for the equivalent frontage of the dwellings on the adjoining sites on the same street; or</p> <p>(d) if located above a non-residential use at ground floor level, not less than the setback from the frontage of the ground floor level.</p> | <p>(b) the building line within the streetscape and prevailing setbacks of buildings on nearby properties;</p> <p>(c) any overshadowing of habitable rooms and private open space on adjoining properties or public places created by a greater setback; and</p> <p>(d) the height, bulk and form when viewed from adjoining properties.</p> |
| <p>A2</p> <p>A dwelling, excluding townhouses, outbuildings with a building height of not more than 2.4m, and protrusions that extend not more than 0.9m, must:</p> <p>(a) Be contained within a building envelope (refer to Figures BRI-S13.9, 13.10 and 13.10) determined by:</p> <p>(i) A distance equal to the frontage setback or for an internal lot, a distance of not less than 4.5m from the rear boundary or a property with an adjoining frontage; and</p> <p>(ii) Projecting a line at an angle of 45 degrees from the horizontal at a height of 3.5m above existing ground level at the side and rear boundaries to a building height of not more than 8.5m above existing ground level; and</p> <p>(b) Be setback not less than 1.5m from a side or rear boundary up to a wall height of 3.5m that extends:</p> <p>(ii) no more than 9.0m in length; or</p> | <p>P2</p> <p>A dwelling must be sited so that there is no unreasonable loss of amenity to adjoining properties, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the size, shape and orientation of the site;</p> <p>(c) the setbacks of surrounding buildings;</p> <p>(d) the height, bulk and form of existing and proposed buildings;</p> <p>(e) the existing buildings and private open space on the site;</p> <p>(f) sunlight to private open space and windows of habitable rooms on adjoining properties; and</p> <p>(g) If for multiple dwellings, a design response report.</p> |

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| <p>(ii) two-thirds the length of the side or rear boundary. whichever is the lesser.</p> | |
| <p>A3</p> <p>A dwelling in a townhouse arrangement must have a building height not more than 8.5m.</p> | <p>P3</p> <p>A dwelling in a townhouse arrangement must be compatible with the heights of other buildings in the streetscape, and not cause an unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) visual impacts caused by the apparent scale of the proposal when viewed from an adjoining property; (b) the height of buildings on the site and adjacent properties; (c) sunlight to private open space and dwellings on adjoining properties; (d) the development potential of buildings in the streetscape and its desired future character; (e) compatibility with the housing typologies shown in Figure BRI 13.5 and 13.6; and (f) A design response report |
| <p>A4</p> <p>Except where a side wall directly abuts the wall of another dwelling within the same townhouse arrangement, side setbacks for a dwelling in a townhouse arrangement must:</p> <ul style="list-style-type: none"> (a) where the wall does not exceed 3.5m in height, a side setback of not less than 1.0m; and (b) where the wall exceeds 3.5m in height, a side setback: <ul style="list-style-type: none"> (i) not less than 2.0m; or (ii) 0.5m for every metre in height above 3.5 metres <p>whichever is the greater.</p> | <p>P4</p> <p>A dwelling in a townhouse arrangement must be sited so that there is no unreasonable loss of amenity to adjoining properties and achieves a reasonable design outcome sympathetic to the site and surrounds, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space on the site; |

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| | <ul style="list-style-type: none"> (f) access to sunlight to private open space and windows of habitable rooms on adjoining properties; (g) minimised overlooking into adjoining properties through appropriate siting or design of windows, balconies, and private open space; (h) compatibility with the housing typologies shown in Figure BRI 13.5 and 13.6; and (i) a design response report. |
| <p>A5</p> <p>A dwelling in a townhouse arrangement must:</p> <ul style="list-style-type: none"> (a) have a rear setback not less than 3.0m for the first building level, or 0m where the rear boundary abuts a laneway; and (b) not less than 5.0m for any second building level, or 3.0m where the rear boundary abuts a laneway. | <p>P5</p> <p>A dwelling in a townhouse arrangement must be sited so that there is no unreasonable loss of amenity to adjoining properties, and achieves a reasonable design outcome sympathetic to the site and surrounds, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space on the site; (f) access to sunlight of private open space and windows of habitable rooms on adjoining properties; (g) minimised overlooking into adjoining properties through appropriate siting or design of windows, balconies, and private open space; (h) compatibility with the housing typologies shown in Figure BRI 13.5 and 13.6; and (i) a design response report. |

BRI-S13.8.4 Setbacks and building envelope for all dwellings – Precinct C

This clause is in substitution for General Residential Zone – clause 8.4.2 Setbacks and building envelope for all dwellings.

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| Objective: | <p>The siting and scale of dwellings:</p> <ul style="list-style-type: none"> (a) provides for greater diversity of dwelling types to support a wide range of households; |
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| | <ul style="list-style-type: none"> (b) provides reasonably consistent separation between dwellings and the primary frontage; (c) provides consistency in the apparent scale, bulk, massing and proportion of dwellings; (d) provides height and setback compatible with the streetscape and not causing unreasonable loss of amenity; (e) provides separation from dwellings on the same site or adjoining properties to allow reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space; and (f) Provides good quality dwelling design and landscaping which contributes positively to the streetscape and provides for residential amenity. |
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| Acceptable Solutions | Performance Criteria |
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| <p>A1</p> <p>Dwellings, excluding garages, carports, protrusions that extend not more than 0.9m (such as eaves, steps, porches, and awnings), must have a setback from a frontage that is:</p> <ul style="list-style-type: none"> (a) if the frontage is a primary frontage, not less than 8m and not more than 12.0m; or (b) for a second storey located above a garage, not less than 8m and not more than 12.0m; or (c) if the frontage is not a primary frontage, not less than 3.0m. | <p>P1</p> <p>A dwelling must have a setback from a frontage so that the development is compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) topography of the site; (b) the building line within the streetscape and prevailing setbacks of buildings on nearby properties; (c) any overshadowing of habitable rooms and private open space on adjoining properties or public places created by a greater setback; and (d) the height, bulk and form when viewed from adjoining properties. |
| <p>A2</p> <p>Dwellings, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally from the building, must have a setback from side and rear boundaries of not less than 5m.</p> | <p>P2</p> <p>A dwelling must be sited so that there is no unreasonable loss of amenity to adjoining properties, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space on the site; (f) sunlight to private open space and windows of habitable rooms on adjoining properties; |

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| | <p>(g) the character of development existing on established properties in the area; and</p> <p>(h) If for multiple dwellings, a design response report.</p> |
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BRI-S13.8.5 Site coverage, landscaping and private open space for all dwellings – All Precincts

This clause is in substitution for General Residential Zone – clause 8.4.3 Site coverage and private open space for all dwellings

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| Objective: | <p>That dwellings are compatible with the amenity and character of the area and provide:</p> <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; (c) private open space that is conveniently located and has access to sunlight; and (d) landscaping which enhances residential amenity and the character of the area, and minimises the extent of impervious surfaces. |
| Acceptable Solutions | Performance Criteria |
| <p>A1</p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage consistent with Table BRI-S13.10.1; and (b) for multiple dwellings (excluding townhouses), a total area of private open space of not less than 60m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished floor level (excluding a garage, carport or entry foyer). | <p>P1</p> <p>Dwellings must have:</p> <ul style="list-style-type: none"> (a) Site coverage consistent with that existing on established properties within the precinct; (b) Private open space that is of a size and with dimensions that are appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> i. Outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; ii. Operational needs, such as clothes drying and storage; and iii. Reasonable space for the planting of gardens and landscaping. |
| <p>A2</p> <p>A dwelling must have private open space that:</p> <ul style="list-style-type: none"> (a) is in one location, and is not less than: <ul style="list-style-type: none"> (i) 24m²; or | <p>P2</p> <p>A dwelling must have private open space that includes an area capable of serving as an</p> |

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| <ul style="list-style-type: none"> (ii) 12m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); (b) if the dwelling is a townhouse, is not less than 24m² and a minimum of 16m² is accessible from a living room; and (c) has a minimum horizontal dimension of not less than: <ul style="list-style-type: none"> (i) 2m, if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); or (ii) 3m, where located at the ground level of a townhouse; or (iii) 2m, where located at the upper level of a townhouse; or (iv) 4m in all other cases; and (d) is only located between the dwelling and the frontage if: <ul style="list-style-type: none"> (i) in the form of a balcony; or (ii) the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and (e) has a gradient not steeper than 1 in 10; and (f) is accessed from a habitable room. | <p>extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <ul style="list-style-type: none"> (a) conveniently located in relation to a living area of the dwelling; and (b) orientated to take advantage of sunlight. |
| <p>A3</p> <p>A dwelling must provide a landscaping area not less than 25% of the site, as shown on a landscaping plan, prepared by a suitably qualified person.</p> | <p>P3</p> <p>A dwelling must provide a reasonable level of landscaping to contribute to residential amenity and avoids excessive pervious areas on a site, as shown on a landscaping plan, prepared by a suitably qualified person.</p> |

Table BRI-S13.10.1 Site Coverage – Precincts A, B and C.

| Lot area | Max. site coverage |
|-----------------------|--------------------|
| 200m ² | 60% |
| 201-400m ² | 60% |
| 401-600m ² | 50% |
| 601-800m ² | 40% |
| >800m ² | 35% |
| >1000m ² | 30% |

BRI-S13.8.6 Sunlight to private open space of multiple dwellings – All Precincts

This clause is in substitution for General Residential Zone – clause 8.4.4 Sunlight to private open space of multiple dwellings

| Objective: | That the separation between multiple dwellings provides reasonable opportunity for sunlight to private open space for dwellings on the same site. | |
|---|---|--|
| Acceptable Solutions | | Performance Criteria |
| <p>A1</p> <p>A multiple dwelling (excluding an associated outbuilding with a building height of not more than 2.4m or protrusions that extend not more than 0.9m), located to the north of the private open space of another dwelling on the same site that is required to satisfy A2 or P2 of clause BRI-S13.8.5 must satisfy (a) or (b), unless excluded by (c):</p> <p>(a) the multiple dwelling is contained within a line projecting:</p> <p>(i) at a distance of 3.0m from the northern edge of the private open space; and</p> <p>(ii) vertically to a height of 3.5m above existing ground level and then at an angle of 45 degrees from the horizontal (see Figure BRI-S13.12); or</p> <p>(b) the multiple dwelling does not cause 50% of the private open space to receive less than 3 hours of sunlight between 9.00am and 3.00pm on 21st June.</p> <p>(c) this Acceptable Solution excludes that part of a multiple dwelling consisting of:</p> <p>(i) an outbuilding with a building height not more than 2.4m; or</p> <p>(i) protrusions that extend not more than 0.9m horizontally from the multiple dwelling.</p> | | <p>P1</p> <p>A multiple dwelling must be designed and sited to not cause an unreasonable loss of amenity by overshadowing the private open space of another dwelling on the same site, which is required to satisfy A2 or P2 of clause BRI-S13.8.5 must satisfy (a) or (b) of this planning scheme.</p> |

BRI-S13.8.7 Solar Access – All Precincts

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings.

| Objective: | To ensure that development layout optimises daylight access to habitable rooms and open space areas, and minimises unreasonable overshadowing of neighbouring properties. | |
|--|--|----------------------|
| Acceptable Solutions | | Performance Criteria |
| A1 A dwelling must be designed to achieve the following: <ul style="list-style-type: none">(a) 3hrs of direct sunlight access to a habitable room window (excluding bedrooms) between 9am and 3pm on winter solstice;(b) 3hrs of direct sunlight access to no less than 50% of principal private open space between 9am and 3pm on winter solstice; and(c) Does not cause an adjoining property to receive less than 3hrs of direct sunlight access to a habitable room, solar energy installation, or on 50% principal private open space between 9am and 3pm on winter solstice. | P1 A dwelling must be designed to receive a reasonable level of solar access to habitable rooms and private open space and not unreasonably impact on adjoining properties solar access, having regard to: <ul style="list-style-type: none">(a) the prevailing topography, site characteristics and location;(b) the extent of sunlight access at solstice and equinox period. | |

BRI- S13.8.8 Width of openings for garages and carports for all dwellings – Precinct A

This clause is in substitution for General Residential Zone – clause 8.4.5 Width of openings for garages and carports for all dwellings.

| Objective: | Garages and carports: <ul style="list-style-type: none">(a) Contribute to an interesting streetscape through setback articulation within the front building elevation; and(b) Do not dominate the streetscape along a primary frontage. | |
|--|---|----------------------|
| Acceptable Solutions | | Performance Criteria |
| A1 A garage or carport must: <ul style="list-style-type: none">(a) have a single or single tandem garage, not more than 6.6m wide, accessed from the primary frontage; and | P1 The width of a garage or carport must not be the dominant visual element on a site when viewed from the street, having regard to: <ul style="list-style-type: none">(a) the design of existing garages and carports within the street; | |

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| (b) be no greater than 50% of the width of the combined garage / carport and dwelling. | (b) the design of the garage or carport; and (c) the design of the existing or proposed dwelling on the site. |
| A2 A garage or carport must: <ul style="list-style-type: none"> (a) If gaining access from a primary frontage, be setback not less than 0.5m behind the front building elevation of the associated dwelling; or (b) If gaining access from a secondary frontage, be setback not less than 1.5m. | P2 A garage or carport must be designed and sited to contribute to a visually interesting streetscape, having regard to: <ul style="list-style-type: none"> (a) the materials and finishes of the garage / carport; (b) the siting and design of existing garages and carports within the street; (c) the design of the existing or proposed dwelling on the site; and (d) topographical constraints. |

BRI-S13.8.9 Width of openings for garages and carports for all dwellings – Precinct B

This clause is in substitution for General Residential Zone – clause 8.4.5 Width of openings for garages and carports for all dwellings

| Objective: | Garages and carports: <ul style="list-style-type: none"> (a) Contribute to an interesting streetscape through setback articulation within the front building elevation; and (b) Do not dominate the streetscape along a primary frontage. |
|---|---|
| Acceptable Solutions | Performance Criteria |
| A1 A garage or carport must: <ul style="list-style-type: none"> (a) If gaining access from a primary frontage, be setback not less than 0.5m behind the front building elevation of the associated dwelling; or (b) If gaining access from a secondary frontage, be setback not less than 1.5m. | P1 A garage or carport must be designed and sited to contribute to a visually interesting streetscape, having regard to: <ul style="list-style-type: none"> (a) the materials and finishes of the garage / carport; (b) the siting and design of existing garages and carports within the street; (c) the design of the existing or proposed dwelling on the site; and (d) topographical constraints. |
| A2 A garage or carport must: <ul style="list-style-type: none"> (a) Have a single, single tandem, or double garage not more than 6.6m wide, | P2 The width of a garage or carport must not be the dominant visual element on a site when viewed from the street, having regard to: |

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|--|---|
| <p>accessed from the primary frontage; and</p> <p>(b) be no greater than 50% of the width of the combined garage / carport and dwelling.</p> | <p>(a) the design of existing garages and carports within the street;</p> <p>(b) the design of the garage or carport; and</p> <p>(c) the design of the existing or proposed dwelling on the site.</p> |
|--|---|

BRI-S13.8.10 Width of openings for garages and carports for all dwellings – Precinct C

This clause is in substitution for General Residential Zone – clause 8.4.5 Width of openings for garages and carports for all dwellings

| Objective: | <p>Garages and carports:</p> <p>(a) Contribute to an interesting streetscape through setback articulation within the front building elevation; and</p> <p>(b) Do not dominate the streetscape along a primary frontage.</p> |
|---|---|
| Acceptable Solutions | Performance Criteria |
| <p>A1</p> <p>A garage or carport must be setback no less than 0.5m behind the front building elevation of the associated dwelling.</p> | <p>P1</p> <p>A garage or carport must be designed and sited to contribute to a visually interesting streetscape, having regard to:</p> <p>(a) the materials and finishes of the garage / carport;</p> <p>(b) the siting and design of existing garages and carports within the street;</p> <p>(c) the design of the existing or proposed dwelling on the site; and</p> <p>(d) topographical constraints.</p> |
| <p>A2</p> <p>A garage or carport for a dwelling within 12m of a primary frontage, whether the garage or carport is free-standing or part of the dwelling, must have a total width of openings facing the primary frontage of not more than 6m or half the width of the frontage (whichever is the lesser).</p> | <p>P2</p> <p>A garage or carport for a dwelling must be designed to minimise the width of its openings that are visible from the street, so as to reduce the potential for the openings of a garage or carport to dominate the primary frontage.</p> |

BRI-S13.8.11 Dwelling Design – All Precincts

This clause is in addition to General Residential Zone – clause 8.4 Development Standards for Dwellings.

| Objective: | Dwellings: <ul style="list-style-type: none"> (a) maintain a high standard of design; (b) maximise opportunities for passive surveillance of the street and areas of public open space; and (c) contribute positively to the streetscape and areas of public open space by incorporating design elements that engage with the public realm. |
|---|--|
| Acceptable Solutions | Performance Criteria |
| A1 Each dwelling with a front building elevation facing a primary frontage must: <ul style="list-style-type: none"> (a) include at least one window facing the frontage from a habitable room that has a minimum internal room dimension of 2.4m; and (b) have an aggregate window area of at least 2m² facing the primary frontage | P1 Dwellings with a front building elevation facing a primary frontage must be designed to provide a reasonable level of passive surveillance of the street and engagement with the public realm. |
| A2 The front building elevation of a dwelling facing a primary frontage must include an entry door that is readily visible from the primary frontage. | P2 A dwelling must be designed so the front building elevation contributes positively to the streetscape, having regard to: <ul style="list-style-type: none"> (a) topography; (b) the location of existing or proposed dwellings on the site; and (c) any other site constraints. |
| A3 The front building elevation of a dwelling, (excluding multiple dwellings), must incorporate at least 3 of the following design features: <ul style="list-style-type: none"> (a) a minimum of 30% of the building wall is set back an additional 300mm from the building line; (b) a porch or portico projects at least 1.0m from the building wall; (c) a balcony projects from the building wall (d) a verandah projects at least 1.0m from the building wall; | P3 A single dwelling must be designed to provide visual interest and articulation to the building elevation facing a street (excluding a laneway), in a manner that positively contributes to the streetscape character, having regard to: <ul style="list-style-type: none"> (a) the articulation, materials, and detailing of the front and street-facing building elevations; (b) the presence and scale of balconies, porches, verandahs, or other architectural elements that reinforce a pedestrian scale; |

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| <ul style="list-style-type: none"> (e) eaves of a minimum 400mm width extend along the width of the front building elevation; (f) a minimum 30% of the width of the upper-level projects forward from the lower-level primary building line by at least 300mm; and (g) a minimum of two different materials or finishes are incorporated on the walls of the front building elevation, with a maximum of 80% of the building elevation in a single material or finish. | <ul style="list-style-type: none"> (c) the use of varied building materials, finishes, or textures that break up large surface areas; (d) the interface with the public realm, including the visibility of the entrance and passive surveillance of the street; and (e) the character of surrounding development. |
| <p>A4</p> <p>The building elevation of a dwelling (excluding multiple dwellings) facing a secondary frontage (excluding a laneway), must incorporate at least 2 of the following design features:</p> <ul style="list-style-type: none"> (a) a minimum of 30% of the building wall is set back an additional 300mm from the building line; (b) a porch or portico projects at least 1.0m from the building wall; (c) a balcony projects from the building wall; (d) a verandah projects at least 1.0m from the building wall; (e) eaves of a minimum 400mm width extend along the width of the front building elevation; (f) a minimum 30% of the width of the upper-level projects forward from the lower-level primary building line by at least 300mm; and (g) a minimum of two different materials or finishes are incorporated on the walls of the front building elevation, with a maximum of 80% of the building elevation in a single material or finish. | <p>P4</p> <p>A single dwelling must be designed to provide visual interest and articulation to the building elevation facing a street (excluding a laneway), in a manner that positively contributes to the streetscape character, having regard to:</p> <ul style="list-style-type: none"> (a) the articulation, materials, and detailing of the front and street-facing building elevations; (b) the presence and scale of balconies, porches, verandahs, or other architectural elements that reinforce a pedestrian scale; (c) the use of varied building materials, finishes, or textures that break up large surface areas; and (d) the character of surrounding development. (e) the interface with the public realm, including the visibility of the entrance and passive surveillance of the street; and (f) the character of surrounding development. |

A5

Where a dwelling faces a laneway, the frontage must be designed to provide:

- (a) a balcony facing the laneway; or
- (b) incorporates at least one habitable room window or a balcony that provides direct views to the laneway.

P5

A dwelling must be designed to provide visual interest and articulation to the building elevation facing a laneway in a manner that positively contributes to the streetscape character, and provides passive surveillance, having regard to:

- (a) the articulation, materials, and detailing of the front and street-facing building elevations;
- (b) the presence and scale of balconies, porches, verandahs, or other architectural elements that reinforce a pedestrian scale;
- (c) the use of varied building materials, finishes, or textures that break up large surface areas;
- (d) the interface with the public realm, including the visibility of the entrance and passive surveillance of the laneway; and
- (e) the character of surrounding development.

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| <p>A6</p> <p>Where a dwelling has an elevation facing an adjoining area of public open space, the elevation must:</p> <ul style="list-style-type: none"> (a) incorporate at least one habitable room window or a balcony that provides direct views of the public open space; (b) boundary fencing that utilises a combination of solid and permeable elements (no less than 50% transparency) to promote visual connectivity; (c) avoid blank walls greater than 3 metres in length facing the public open space; (d) Include at least 1 of the following design features: <ul style="list-style-type: none"> (i) a minimum of 30% of the building wall is set back an additional 300mm from the building line; (ii) a balcony projects from the building wall; (iii) a verandah projects at least 1.0m from the building wall; (iv) eaves of a minimum 400mm width extend along the width of the elevation; and (v) a minimum 30% of the width of the upper-level projects forward from the lower level primary building line by at least 300mm. | <p>P6</p> <p>A dwelling must be designed to provide visual interest and articulation to the building elevation facing an adjoining area of public open space that positively contributes to the streetscape character, and provides passive surveillance, having regard to:</p> <ul style="list-style-type: none"> (a) the articulation, materials, and detailing of the front and street-facing building elevations; (b) the presence and scale of balconies, porches, verandahs, or other architectural elements that reinforce a pedestrian scale; (c) the use of varied building materials, finishes, or textures that break up large surface areas; (d) the interface with the public realm, including the visibility of the entrance and passive surveillance of the public open space; and (e) the character of surrounding development. |
| <p>A7</p> <p>No acceptable solution.</p> | <p>P7</p> <p>Attached or abutting dwellings are designed to minimise the transmission of sound between dwellings and, in particular, to protect bedrooms from possible noise intrusions.</p> |

BRI-S13.8.12 - Infrastructure provision for multiple dwellings – All Precincts

This clause is in addition to General Residential Zone - clause 8.4 Development Standards for Dwellings.

| Objective: | That multiple dwelling development delivers sufficient council infrastructure to provide for road and pedestrian network connectivity and amenity | |
|----------------------|--|---|
| Acceptable Solutions | | Performance Criteria |
| A1 | Not less than 1 street tree, which may include an existing street tree, must be provided along the frontage of a new multiple dwelling development, excluding for multiple dwelling development on an internal lot, in accordance with the species shown in Figure BRI-S13.13. | P1 Street trees must be provided along the frontage of a multiple dwelling development, having regard to: <ul style="list-style-type: none"> (a) the width of lot frontages; (b) the 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 to be retained; (g) the location and species of trees shown in Figure BRI-S13.13; and (h) any advice from the road authority. |

BRI-S13.8.13 – Onsite Landscaping for multiple dwellings – All Precincts

This clause is in addition to General Residential Zone - clause 8.4 Development Standards for Dwellings.

| Objective: | That new multiple dwellings (including townhouses) contribute positively to the residential amenity, safety and character of the area through provision of trees and landscaping treatments. | |
|----------------------|--|---|
| Acceptable Solutions | | Performance Criteria |
| A1 | Multiple dwellings must provide not less than 1 tree in the private open space of each dwelling which can grow to a minimum height of 3m and a minimum spread of 2m at maturity. | P1 Multiple dwellings must provide a reasonable level of landscaping, having regard to: <ul style="list-style-type: none"> (a) areas to be landscaped; (b) proposed planting; (c) the location of infrastructure; (d) the topography of the site; (e) existing vegetation to be retained on the site; and (f) a landscaping plan prepared by a suitably qualified person. |
| A2 | Landscaping of parking and circulation areas, comprising not less than 5% of the total area of | P2 |

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| <p>the parking and circulation areas, must be provided if more than 5 parking spaces are proposed.</p> | <p>Landscaping of parking and circulation areas must contribute positively to the amenity and character of the area, having regard to:</p> <ul style="list-style-type: none"> (a) minimising the visual impact of the parking and circulation areas on the streetscape; (b) minimising any loss of amenity of the occupants of adjoining properties; (c) minimising opportunities for crime or anti-social behaviour by avoiding the creation of concealment spaces; and (d) a landscaping plan prepared by a suitably qualified person. |
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BRI-S13.9 – Development Standards for Buildings and Works – Precinct D

BRI-S13.9.1 - Building height

This clause is in substitution for General Residential Zone – clause 8.4.2 Setbacks and building envelope for all dwellings

| Objective: | That building height: <ul style="list-style-type: none">(a) enhances the streetscape through the scale, bulk and proportion of buildings;(b) is compatible with the streetscape and the prominent gateway location of Precinct D; and(c) does not unreasonably impact residential or public amenity. |
|--|---|
| Acceptable Solutions | Performance Criteria |
| A1 Building height must be not more than 9m. | P1 Building height must be compatible with the streetscape, prominent gateway location of Precinct D, the character of development existing on established properties in the area, and not unreasonably impact residential or public amenity, having regard to: <ul style="list-style-type: none">(a) the topography of the site;(b) the height, bulk and form of existing buildings on the site and adjacent properties;(c) the bulk and form of proposed buildings;(d) the apparent height when viewed from the adjoining road and public places;(e) any overshadowing of existing dwellings on the site, adjoining properties and public places; and(f) a design response report. |

BRI-S13.9.2 – Setbacks

This clause is in substitution for General Residential Zone – Clause 8.4.2 Setbacks and building envelope for all dwellings and Clause 8.5.1 Non-dwelling development A6, P6.

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| Objective: | That building setback: <ul style="list-style-type: none">(a) is compatible with the streetscape and prominent gateway location of Precinct D;(b) does not cause an unreasonable loss of amenity to adjacent residential uses;(c) minimises opportunities for crime and anti-social behaviour through setback of buildings; and |
|-------------------|--|

| | (d) is reasonably compatible with Precinct D Development Framework. |
|--|--|
| Acceptable Solutions | Performance Criteria |
| <p>A1</p> <p>Buildings must be:</p> <ul style="list-style-type: none"> (a) Setback no less than 15m from Boyer Road; and (b) At least 5m from any other frontage. | <p>P1</p> <p>Buildings must have a setback from a frontage that is compatible with the streetscape, and prominent gateway location of Precinct D, and minimises opportunities for crime and anti-social behaviour, having regard to:</p> <ul style="list-style-type: none"> (a) providing small variations in building alignment to break up long building façades; (b) providing variations in building alignment to provide a forecourt space for public use, such as outdoor dining or landscaping; (c) the avoidance of concealment spaces; (d) the ability to achieve passive surveillance; (e) the availability of lighting; (f) existing or proposed landscaping; (g) Precinct D Concept Plan in Figure BRI-S13.3; and (h) A design response report. |
| <p>A2</p> <p>Except where a side wall directly abuts the wall of another dwelling within the same townhouse arrangement, side setbacks for a dwelling in a townhouse arrangement must:</p> <ul style="list-style-type: none"> (a) where the wall does not exceed 3.5m in height, a side setback of not less than 1.0m; and (b) where the wall exceeds 3.5m in height, a side setback: <ul style="list-style-type: none"> (iii) not less than 2.0m; or (iv) 0.5m for every metre in height above 3.5 metres whichever is the greater. | <p>P2</p> <p>A dwelling in a townhouse arrangement must be sited so that there is no unreasonable loss of amenity to adjoining properties and achieves a reasonable design outcome sympathetic to the site and surrounds, having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the size, shape and orientation of the site; (c) the setbacks of surrounding buildings; (d) the height, bulk and form of existing and proposed buildings; (e) the existing buildings and private open space on the site; (f) access to sunlight to private open space and windows of habitable rooms on adjoining properties; (g) minimised overlooking into adjoining properties through appropriate siting or design of windows, balconies, and private open space; |

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| | <p>(h) compatibility with the housing typologies shown in Figures BRI 13.5 – 13.8; and</p> <p>(i) a design response report.</p> |
| <p>A3</p> <p>A dwelling in a townhouse arrangement must:</p> <p>(a) have a rear setback not less than 3.0m for the first building level, or 0m where the rear boundary abuts a laneway; and</p> <p>(b) not less than 5.0m for any second building level, or 3.0m where the rear boundary abuts a laneway.</p> | <p>P3</p> <p>A dwelling in a townhouse arrangement must be sited so that there is no unreasonable loss of amenity to adjoining properties, and achieves a reasonable design outcome sympathetic to the site and surrounds, having regard to:</p> <p>(a) the topography of the site;</p> <p>(b) the size, shape and orientation of the site;</p> <p>(c) the setbacks of surrounding buildings;</p> <p>(d) the height, bulk and form of existing and proposed buildings;</p> <p>(e) the existing buildings and private open space on the site;</p> <p>(f) access to sunlight of private open space and windows of habitable rooms on adjoining properties;</p> <p>(g) minimised overlooking into adjoining properties through appropriate siting or design of windows, balconies, and private open space;</p> <p>(h) compatibility with the housing typologies shown in Figures BRI 13.5 – 13.8; and</p> <p>(i) A design response report.</p> |
| <p>A4</p> <p>Air extraction, pumping, refrigeration systems or compressors must be separated not less than 10.0m from a side boundary or an existing dwelling on the same site.</p> | <p>P4</p> <p>Air conditioning, air extraction, pumping, heating or refrigeration systems or compressors within 10m of a side boundary must be designed, located, baffled or insulated to not cause an unreasonable loss of amenity to the adjoining, or adjacent residential uses on the same site, having regard to:</p> <p>(a) the characteristics and frequency of emissions generated;</p> <p>(b) the nature of the proposed <u>use</u>;</p> <p>(c) the topography of the <u>site</u> and location of the <u>sensitive use</u>; and</p> <p>(d) any proposed mitigation measures.</p> |

BRI-S13.9.3 Site Coverage and Private Open space for all dwellings

This clause is in substitution for General Residential Zone – clause 8.4.3 - Site coverage and private open space for all dwellings

| Objective: | <p>That dwellings are compatible with the amenity and character of the area and provide:</p> <ul style="list-style-type: none"> (a) for outdoor recreation and the operational needs of the residents; (b) opportunities for the planting of gardens and landscaping; and (c) private open space that is conveniently located and has access to sunlight. |
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| Acceptable Solutions | Performance Criteria |
| <p>A1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 65% (excluding eaves up to 0.6m wide); and (b) for multiple dwellings, a total area of private open space of not less than 40m² associated with each dwelling, unless the dwelling has a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer). | <p>P1 Dwellings must have:</p> <ul style="list-style-type: none"> (a) site coverage consistent with that existing on established properties in the area; (b) private open space that is of a size and with dimensions appropriate for the size of the dwelling and is able to accommodate: <ul style="list-style-type: none"> (i) outdoor recreational space consistent with the projected requirements of the occupants and, for multiple dwellings, take into account any common open space provided for this purpose within the development; and (ii) operational needs, such as clothes drying and storage; and (c) reasonable space for the planting of gardens and landscaping. |
| <p>A2 A dwelling must have private open space that:</p> <ul style="list-style-type: none"> (a) is in one location and is not less than: <ul style="list-style-type: none"> (i) 24m²; or (ii) 12.0m², if the dwelling is a multiple dwelling with a finished floor level that is entirely more than 1.8m above the finished ground level (excluding a garage, carport or entry foyer); or | <p>P2 A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for outdoor relaxation, dining, entertaining and children's play and is:</p> <ul style="list-style-type: none"> (a) conveniently located in relation to a living area of the dwelling; (b) orientated to take advantage of sunlight; or (c) there is ample public open space nearby to the site. |

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| <ul style="list-style-type: none"> (iii) 8.0m², if the dwelling is located wholly above the ground floor level; or (b) is not less than: <ul style="list-style-type: none"> (i) 24m², if the dwelling is a townhouse, with a minimum of 16m² accessible from a living room; and (c) has a minimum horizontal dimension of not less than: <ul style="list-style-type: none"> (i) 4.0m; or (ii) 3.0m, where located at the ground level of a townhouse; or (iii) 2.0m, where located at the upper level of a townhouse; or (iv) 2.0m, if the dwelling is located wholly above ground floor level; or (d) is only located between the dwelling and the frontage if in the form of a balcony; and (e) has a gradient not steeper than 1 in 10; and (f) is accessed from a habitable room. | |
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BRI-S13.9.4 Width of openings for garages and carports

This clause is in substitution for General Residential Zone – clause 8.4.5 Width of openings for garages and carports for all dwellings and clause 8.5.2 Non-residential garages and carports.

| Objective: | Garages and carports: <ul style="list-style-type: none"> (a) Contribute to an interesting streetscape through setback articulation within the front building elevation; and (b) Do not dominate the streetscape along a primary frontage. | |
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| Acceptable Solutions | | Performance Criteria |
| A1 A garage or carport must be setback not less than 0.5m behind the front building elevation of the associated dwelling. | | P1 A garage or carport must be designed and sited to contribute to a visually interesting streetscape, having regard to: <ul style="list-style-type: none"> (a) the materials and finishes of the garage / carport; (b) the siting and design of existing garages and carports within the street; (c) the design of the existing or proposed dwelling on the site; and (d) topographical constraints. |

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| <p>A2</p> <p>A garage or carport must:</p> <ul style="list-style-type: none"> (a) Have a single or single tandem garage, not more than 3.6m wide, accessed from the primary frontage; and (b) Be no greater than 50% of the width of the combined garage / carport and dwelling; or (c) Have a single, tandem, or double garage accessed from a secondary frontage. | <p>P2</p> <p>The width of a garage or carport must not be the dominant visual element on a site when viewed from the street, having regard to:</p> <ul style="list-style-type: none"> (a) The design of existing garages and carports within the street; (b) The design of the garage or carport; and (c) The design of the existing or proposed dwelling on the site. |
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BRI-S13.9.5 Building design

This clause is in substitution for General Residential Zone – clause 8.5.1 Non-dwelling development A2, P2,

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| <p>Objective:</p> | <p>That:</p> <ul style="list-style-type: none"> (a) building design incorporates active frontages to encourage pedestrian activity and passive surveillance opportunities; (b) building design and façade treatment promotes a visually interesting streetscape befitting of the prominent gateway location; (c) buildings comprising dwellings are designed to provide a high level of residential amenity; and (d) non-residential and mixed use buildings are designed to protect the residential amenity of adjacent dwellings. |
| <p>Acceptable Solutions</p> | <p>Performance Criteria</p> |
| <p>A1</p> <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 a pedestrian entrance to the building that is visible from the road or publicly accessible areas of the site; (b) excluding for Residential, if for a ground floor level façade facing a frontage: <ul style="list-style-type: none"> (i) have not less than 40% 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 40%; | <p>P1</p> <p>New buildings or alterations to an existing façade must be designed to be compatible with the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) how the main pedestrian access to the building will address the street or other public places; (b) excluding for Residential, windows on the façade facing the frontage for visual interest and passive surveillance of public spaces; (c) excluding for Residential, providing 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; (d) installing security shutters or grilles over windows or doors on a façade facing the frontage or other public spaces only if |

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| <p>(c) excluding for Residential, if for a ground floor level façade facing a frontage, must:</p> <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 that frontage; and <p>(d) excluding for Residential, provide awnings over a public footpath if existing on the site or on adjoining properties.</p> | <p>essential for the security of the premises and any other alternatives are not practical;</p> <ul style="list-style-type: none"> (e) excluding for Residential, the need for provision of awnings over a public footpath; (f) Precinct D Concept Plan; and (g) design response report. |
| <p>A2</p> <p>The habitable rooms, windows and balconies of dwellings within a mixed-use building must be separated by:</p> <ul style="list-style-type: none"> (a) at least 6m from one another where there is a direct line of sight between them; (b) 3.0m or more from a side or rear property boundary. | <p>P2</p> <p>A dwelling within a mixed-use building must have habitable rooms, windows and balconies designed and positioned to be separated from those of other dwellings to provide visual and acoustic privacy and allow for natural ventilation and the infiltration of daylight into interior and outdoor spaces.</p> |
| <p>A3</p> <p>No acceptable solution.</p> | <p>P3</p> <p>Bedrooms are separated or shielded from common access areas, vehicle parking areas and access ways to mitigate noise and artificial light intrusion.</p> |
| <p>A4</p> <p>The living room of a dwelling must incorporate a minimum of 1 window with an external outlook of the street frontage, private open space or public open space.</p> | <p>P4</p> <p>Living rooms have an external outlook to provide a high standard of amenity for occupants.</p> |
| <p>A5</p> <p>No acceptable solution.</p> | <p>P5</p> <p>Balconies must be designed, positioned and integrated into the overall architectural form and detail of the development to:</p> <ul style="list-style-type: none"> (a) respond to daylight, wind, and acoustic conditions to maximise comfort and provide visual privacy; and (b) allow views and casual surveillance of the street while providing for safety and visual privacy of nearby living spaces and private outdoor areas. |

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| <p>A6 No acceptable solution.</p> | <p>P6 The siting and scale of a building that is not a dwelling must:</p> <ul style="list-style-type: none"> (a) not cause an unreasonable loss of amenity, having regard to: <ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room, excluding a bedroom, of a dwelling on an adjoining property; (ii) overshadowing the private open space of a dwelling on an adjoining property; (iii) overshadowing of an adjoining vacant property; and (iv) visual impacts caused by the apparent scale, bulk or proportions of the building when viewed from an adjoining property; and (b) provide separation between buildings on adjoining properties that is consistent with that existing on established properties in the area. |
| <p>A7 A building that is not a dwelling, must have:</p> <ul style="list-style-type: none"> (a) a site coverage of not more than 50% (excluding eaves up to 0.6m); and (b) a site area of which not less than 35% is free from impervious surfaces. | <p>P7 A building that is not a dwelling, must have:</p> <ul style="list-style-type: none"> (a) site coverage consistent with that existing on established properties in the area; and (b) reasonable space for the planting of gardens and landscaping. |
| <p>A8 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; (c) not include security shutters or grilles over windows or doors on a façade facing a frontage or other public places; and | <p>P8 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; (c) providing suitable lighting to vehicle parking areas and pathways for the safety and security of users; |

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| <p>(d) provide external lighting to illuminate external vehicle parking areas and pathways.</p> | <p>(d) Local Area Objectives; and (e) a Design Response Report.</p> |
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BRI-S13.9.6 Fencing

This clause is in substitution to General Residential Zone – clause 8.5 Development Standards for Non-Dwellings.

| Objective: | That fencing: (a) is compatible with the streetscape and gateway location of Precinct D; and (b) does not cause an unreasonable loss of residential amenity to adjoining residential zones. | |
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| Acceptable Solutions | | Performance Criteria |
| A1 No Acceptable Solution. ¹⁹ | | P1 A fence (including a free-standing wall) within 4.5m of a frontage must contribute positively to the streetscape, having regard to: (a) its height, design, location and extent; (b) its degree of transparency when viewed from Boter Road; and (c) the proposed materials and construction. Local |
| A2 Common boundary fences with a property in a General Residential Zone if not within 4.5m of a frontage, must: (a) have a height above existing ground level of not more than 2.1m; and (b) not contain barbed wire. ¹⁹ | | P2 Common boundary fences with a property in a General Residential Zone, if not within 4.5m of a frontage, must not cause an unreasonable loss of residential amenity, having regard to: (a) their height, design, location and extent; and (b) the proposed materials and construction. |

BRI-S13.9.7 Outdoor Storage Areas

This clause is in substitution to General Residential Zone – clause 8.5.1 - Development Standards for Non-Dwellings A5, P5.

| Objective: | That outdoor storage areas for non-residential use do not detract from Precinct D's prominent gateway location, appearance of the site, or surrounding area | |
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| Acceptable Solutions | | Performance Criteria |
| A1 Outdoor storage areas, excluding for the display of goods for sale, must not be visible from any road or public open space adjoining the site. | | P1 Outdoor storage areas, excluding for the display of goods for sale, must be located, treated or screened to not cause an unreasonable loss of visual amenity. |

BRI-S13.9.8 Siting of parking and turning areas – Precinct D

This clause is in substitution for Parking and Sustainable Transport – clause 8.2.8 Siting of parking and turning areas.

| Objective: | That the siting of vehicle parking areas does not: <ul style="list-style-type: none"> (a) have an unreasonable visual impact on streetscape character and the prominent gateway location of Precinct D; (b) dominate the street frontage; (c) unduly affect pedestrian movement through the precinct; and (d) cause unreasonable loss of amenity to adjoining properties. |
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| Acceptable Solutions | Performance Criteria |
| A1 Parking and vehicle turning areas must be located behind the building line of buildings. | P1 Parking spaces and vehicle turning areas may be located in front of the building line where this is the only practical solution and does not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> (a) topographical or other site constraints; (b) availability of space behind the building line; (c) availability of space for vehicle access to the side or rear of the property; (d) the gradient between the front and the rear of existing or proposed buildings; (e) the length of access or shared access required to service the car parking; (f) the location of the access driveway at least 2.5m from a window of a habitable room of a dwelling; (g) the visual impact of the vehicle parking and access on the site; (h) the streetscape character and amenity; (i) opportunities for passive surveillance of the road; (j) existing or proposed landscaping; (k) Precinct D Concept Plan (Figure BRI-13.3); (l) Precinct D Local Area Objectives; (m) a Design Response Report; and (m) advice from a road authority. |

BRI-S13.10 Development Standards for Subdivision

BRI-S13.10.1 Lot Design

This clause is in substitution for General Residential Zone – clause 8.6.1 Lot Design; and Landscape Conservation Zone clause 22.5.1 A1 and P1.

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| Objective: | <p>That Subdivision:</p> <ul style="list-style-type: none">(a) is reasonably consistent with the purpose of the Specific Area Plan, the Development Framework, and Precinct D Concept Plan;(b) provides for a transition of densities consistent with the character of established development, natural hazards and agricultural use outside the Boyer Road Precinct to the north, east and west, while maintaining an overall net density compatible with the efficient utilisation of land and infrastructure;(c) achieves a range and mix of lot sizes suitable for development of diverse dwelling types; and(d) creates lots with areas and dimensions appropriate for the use and development;(e) creates lots which maximise solar access and which responds to site conditions and constraints; and(f) are not internal lots, except if the only reasonable way to provide for desired residential density and impacts on streetscape are minimised. |
| Acceptable Solutions | Performance Criteria |
| <p>A1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have an area of not less than:</p> <ul style="list-style-type: none">(a) 250m² for Precinct A;(b) 450m² for Precinct B;(c) 1000m² for Precinct C; and(d) 250m² for Precinct D. | <p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have an area that is compatible with the purpose of the Specific Area Plan having regard to:</p> <ul style="list-style-type: none">(a) the attainment of the Development Framework shown in Figure BRI-S13.2;(b) the topography of the site;(c) the pattern of development existing on established properties in the adjacent areas;(d) the intended location of buildings on the lot;(e) For Precincts A, B and D the housing typologies shown in Figures BRI-S13.5- 13.8;(f) the potential for non-single dwelling residential use and development;(g) constraints due to adjoining high fire risk areas and/or agricultural zoned land;(h) for Precincts A and D, the ability to provide for a diverse range of housing types and densities nearby to open space and serviced; |

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| | <ul style="list-style-type: none"> (i) if in Precinct D, the Precinct D Concept Plan (Figure BRI-13.3); (j) If in Precinct D, the Local Area Objectives; and (k) If in Precinct C, not less than 750m². |
| <p>A2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have a frontage of:</p> <ul style="list-style-type: none"> (a) for Precincts A, B and D, not less than 12m, or 8m if for a dwelling in a townhouse arrangement. (b) For Precinct C, not less than 15m. | <p>P2</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be provided with a frontage that is sufficient for the intended use, and which does not detract from the streetscape, having regard to:</p> <ul style="list-style-type: none"> (a) the attainment of the Development Framework shown in Figure BRI-S13.2; (b) consistency with the Precinct D Concept Plan in Figure BRI-S13.3; (c) for Precincts A, B and D, the housing typologies shown in Figures BRI-S13.5 – 13.8; (d) the width of frontage proposed; (e) opportunities for housing diversity; (f) opportunities for passive surveillance between residential development on the lot and the public road; (g) the functionality and useability of the frontage; (h) the ability to manoeuvre vehicles on the site; (i) the desired pattern of subdivision as outlined in the Development Framework; (j) The ability to retain or replace street trees shown in per Figure BRI-13.12; (k) for Precincts A, B and D, the ability to provide for a diverse range of housing types; and (l) is not less than 3.6m wide. |
| <p>A3</p> <p>Each lot, or a lot proposed in a plan of subdivision, must be able to contain:</p> <ul style="list-style-type: none"> (a) for Precincts A, B and D, a minimum area of 8.0m by 12.0m with a gradient not steeper than 1 in 5, clear of: | <p>P3</p> <p>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:</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; |

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| <ul style="list-style-type: none"> (i) all setbacks required by clause 13.8.2, 13.8.3, 13.8.8, 13.8.9, 13.9.2 or 13.9.4; and (ii) easements or other title restrictions that limit or restrict development. <p>(b) for Precinct C, a minimum area of 10.0m by 15.0m with a gradient not steeper than 1 in 5, clear of:</p> <ul style="list-style-type: none"> (i) all setbacks required by clauses 13.8.4 or 13.8.10; and (ii) easements or other title restrictions that limit or restrict development. | <ul style="list-style-type: none"> (d) the presence of any natural hazards; (e) adequate provision of private open space; (f) For Precincts A, B and D, the housing typologies shown in Figures BRI 13.5 – 13.8; and (g) the pattern of development existing on established properties in the area. |
| <p>A4</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>P4</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; (d) the anticipated nature of vehicles likely to access the site; and (e) the ability for emergency services to access the site. |
| <p>A5</p> <p>No lot is an internal lot.</p> | <p>P5</p> <p>An internal lot must satisfy all of the following:</p> <ul style="list-style-type: none"> (a) it is not reasonably possible to provide a new road to create a standard frontage lot; (b) the lot constitutes the only reasonable way to subdivide the rear of an existing lot; (c) the lot will contribute to the more efficient utilisation of residential land and infrastructure; (d) the amenity of neighbouring land is unlikely to be unreasonably affected by subsequent development and use; |

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| | <p>(e) the lot has access to a road via an access strip, which is part of the lot, or a right-of-way with a width of no less than 3.6m;</p> <p>(f) passing bays are provided at appropriate distances to service the likely future use of the lot;</p> <p>(g) the access strip is adjacent to or combined with no more than three other internal lot access strips and it is not appropriate to provide access via a public road;</p> <p>(h) the lot addresses and provides for passive surveillance of public open space and public rights of way if it fronts such public spaces; and</p> <p>(i) consistency with the Development Framework.</p> |
| <p>A6</p> <p>Land within the Landscape Conservation Zone identified in Figure BRI-S13.1 must only be subdivided where the resultant lots have an area of more than 20 hectares.</p> | <p>P6</p> <p>No performance criterion.</p> |

BRI-S13.10.2 Subdivision layout

This clause is in substitution for General Residential Zone – Clause 8.6.2 Roads

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| Objective: | Subdivision layout 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> <p>(a) be 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>(c) be for the consolidation of a lot with another lot provided each lot is within the same zone.</p> | <p>P1</p> <p>The layout of lots, roads, 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> <p>(a) the potential for passive solar design through the orientation of lots;</p> <p>(b) the facilitation of high levels of vehicular and pedestrian connectivity in the subdivision and to open spaces and adjacent areas;</p> <p>(c) the road design and road hierarchies shown in Figures BRI-S13.14 and 13.15;</p> | |

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| | <ul style="list-style-type: none"> (d) the integration of landscaping into the road, pedestrian and open space network as per Figure BRI-S13.16; (e) the future subdivision of adjoining lots and the likely layout; (f) the safety and efficiency of Boyer Road; (g) the creation of a hierarchy of roads including the creation of a new minor collector road network connecting all six of the allotments that comprise the Boyer Road precinct; (h) avoiding the delay in the connection of roads and infrastructure services between the six allotments that comprise the Boyer Road precinct; (i) avoiding compromising the appropriate and reasonable future subdivision of the entirety of any balance lot; and (j) any advice received from the road authority. |
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BRI-S13.10.3 Roads

This clause is in substitution for General Residential Zone – Clause 8.6.2 Roads.

| Objective: | <p>That the arrangement and design of new roads within a subdivision promotes a family-friendly environment that encourages walking, outdoor activity, and a sense of community, by providing:</p> <ul style="list-style-type: none"> (a) safe, convenient and efficient connections to assist accessibility and mobility of the community; (b) the adequate accommodation of vehicular, pedestrian, cyclist and public transport traffic; (c) variable urban design treatments to facilitate a street hierarchy that facilitates healthy living, and integrates with land uses. (d) a low-speed environment with a high level of amenity for residents. |
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| Acceptable Solutions | Performance Criteria |
| <p>A1</p> <p>Access points to Boyer Road must be located in accordance with the Road Network Plan in Figure BRI-S13.17,</p> | <p>P1</p> <p>Access points to Boyer Road must be located reasonably in accordance with the Road Network Plan in Figure BRI-S13.17, having regard to:</p> <ul style="list-style-type: none"> (a) any advice of the road authority; (b) any advice of State Agencies. |
| <p>A2</p> <p>The layout of new roads must be consistent with:</p> | <p>P2</p> |

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| <ul style="list-style-type: none"> (a) the road hierarchy shown in Figure BRI-S13.15; (b) the relevant road design shown in Figure BRI-S13.13; (c) Traffic calming measures shown in Figure BRI-S13.13; and (d) the Development Framework. | <p>New road reserves within a subdivision are reasonably consistent with the Road Design Plan in Figure BRI-S13.13, having regard to:</p> <ul style="list-style-type: none"> (a) footpaths on both sides of the road; (b) a shared path on at least one side of road of higher order roads; (c) indented on-street car parking on at least one side; (d) traffic calming devices to promote a low speed environment, such as: <ul style="list-style-type: none"> (i) kerb outstands (ii) raised threshold paving (iii) vegetated medians; (iv) chicanes; and (e) street trees / landscaping; (f) lighting; and (g) any advice from the road authority. |
|--|--|

BRI-S13.10.4 Water Sensitive Urban Design

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

| | | |
|---|--|--|
| Objective: | To maintain, protect and improve the quality of the creek network through a stormwater disposal system based upon water sensitive urban design principles. | |
| Acceptable Solutions | | Performance Criteria |
| <p>A1</p> <p>Subdivision must:</p> <ul style="list-style-type: none"> (a) Retain the existing natural drainage corridors for use in stormwater management; (b) Incorporate water sensitive urban design principles consistent with Water Sensitive Urban Design Engineering Procedures for Stormwater Management in Southern Tasmania, including biofiltration systems within the streetscape; (c) Gross-pollutant traps at the primary detention basin inlets; and | | <p>P1</p> <p>Subdivision must incorporate a stormwater management system that maintains, protects and improves the water quality of the existing creek system having regard to:</p> <ul style="list-style-type: none"> (a) water sensitive urban design principles; (b) the topography of the land and its natural pattern of drainage; (c) Any advice of the stormwater authority; and (d) compatibility with Figure BRI-S13.18. |

| | |
|---|---|
| (d) Biofiltration basins at the primary outfall points from the subdivision to the creek valleys. | |
| A2 No acceptable solution. | P2 The arrangement and provision of the stormwater system must be in accordance with a stormwater management plan prepared by a suitably qualified person for the relevant catchment(s) shown on Figure BRI-S13.18, 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 adjoining or adjacent land; and (f) any advice from the stormwater authority. |

BRI-S13.10.5 Landscaping and Open Space

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

| Objective: | To encourage safe and attractive landscaped roads, shared paths and open space in accordance with the Development Framework and Landscape Plan. | |
|---|---|--|
| Acceptable Solutions | | Performance Criteria |
| A1 At least one street tree must be provided (or already existing) every 15 metres along public roads in accordance with Figure BRI-S13.16. | | P1 At least one street tree must be provided (or already existing) an average of every 15 metres along public roads in accordance with Figure BRI-S13.16, as may be varied by the location of driveways, services and lot boundaries. |
| A2 Street trees and trees on any other public land be planted using the species shown in Figure BRI-S13.13. | | P2 Street trees must be planted using species reasonably consistent with Figure BRI-S13.13, having regard to: <ul style="list-style-type: none"> (a) site constraints; (b) availability of species; and (c) any advice of the road authority. |

| | |
|---|--|
| <p>A3</p> <p>The subdivision does not include any open space lots.</p> | <p>P3</p> <p>If subdivision includes the creation of open space and/or shared path networks, it must be located generally in accordance with the Development Framework, and landscaping undertaken in accordance with Figure BRI-S13.16 that:</p> <ul style="list-style-type: none"> (a) enhances the open space or shared path network; (b) incorporates species reasonably consistent with Figure BRI-S13.13; (c) incorporates low-threat vegetation to assist with mitigating bushfire risk; (d) prevents the creation of concealed entrapment spaces; (e) removes existing invasive weed species; and (f) any advice of the road authority. |
| <p>A4</p> <p>No acceptable solution.</p> | <p>P4</p> <p>A shelter belt must be planted for the extent of the common boundary shared with 194 Boyer Road (Title Reference 139649/1) and 232 Boyer Road (Title Reference 172452/2) comprising dense mixed native species, including hardy short shrubbery and taller trees to provide screening 8-10 metres high and 3-4 metres wide, as per a landscaping plan prepared by a registered landscape architect.</p> |

BRI-S13.10.6 Bushfire Management – Precinct C

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

| | |
|------------------------------------|--|
| <p>Objective:</p> | <p>Subdivision is designed to minimise the threat and impact of bushfires on life and property with regard to the following risks:</p> <ul style="list-style-type: none"> (a) potential for uncontrolled bushfire events taking into account the increased frequency and intensity of bushfires as a result of climate change (b) high levels and exposure to ember attack (c) impact from burning debris (d) radiant heat; and (e) likelihood and direct exposure to flames from a fire front. |
| <p>Acceptable Solutions</p> | <p>Performance Criteria</p> |

| | |
|--|---|
| A1 Subdivision in Precinct C incorporates a hazard management area in accordance with the Development Framework and Figure BRI-S13.16. | P1 Subdivision in Precinct C incorporates a hazard management area reasonably in accordance with the Development Framework and Figure BRI-S13.16, having regard to: (a) any advice of the TFS. |
|--|---|

BRI-S13.10.7 Infrastructure

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

| | |
|--------------------------------------|--|
| Objective: | Infrastructure delivery to facilitate the coordination, capacity and timeliness of service connectivity between the six allotments that comprise the Boyer Road precinct. |
| Acceptable Solutions | Performance Criteria |
| A1 No acceptable solution. | P1 The subdivision must deliver an internal road network that generally accords with Figure BRI-S13.17 and, in particular: (a) has regard to the staging plan in Figure BRI-S13.22; (b) provides for connections to Boyer Road in locations acceptable to State Growth; (c) provides for a centrally located east-west road that links the properties at 150, 170 and 182 Boyer Road; (d) provides for road connectivity from the properties at 170 and 182 Boyer Road to the properties at 29 and 31 Cobbs Hill Road and from 29 Cobbs Hill Road to 25 Cobbs Hill Road; (e) does not unreasonably delay connection between the six properties that comprise the Boyer Road precinct; (f) any advice of the road authority; and (g) any advice from State Agencies. |
| A2 No acceptable solution. | P2 The subdivision must deliver the stormwater detention basins, stormwater channels (watercourses) and stormwater treatment works at a capacity which accommodates the stormwater |

| | |
|---|---|
| | <p>catchment areas generally in accord with Figure BRI-S13.14 and, in particular:</p> <ul style="list-style-type: none"> (a) provide for the capacity to manage the quality and quantity of stormwater flows to the satisfaction of the Brighton Council; (b) provide for the coordination of stormwater management on a catchment area basis that recognises those catchments may comprise multiple land owners; (c) does not unreasonably delay connection between the six properties that comprise the Boyer Road precinct; (d) any advice of the stormwater authority; and (e) any advice from State Agencies. |
| <p>A3</p> <p>The subdivision must be delivered in accordance with the staging identified on Figure BRI-S13.22.</p> | <p>P3</p> <p>The subdivision may be staged so ensure the efficient and reasonable release of land, having regard to:</p> <ul style="list-style-type: none"> (a) any other configuration to that identified in Figure BRI-S13.22, provided the staging does not unreasonably delay public road access and service infrastructure connections between the six properties that comprise the Boyer Road precinct; (b) any advice of the road authority; and (c) any advice from State Agencies. |

Figures List

| | | | |
|----------------|-----------------------------------|----------------|-----------------------------------|
| Fig BRI-S13.1 | Boyer Road Specific Area Plan | Fig BRI-S13.15 | Road Hierarchy |
| Fig BRI-S13.2 | Boyer Road Development Framework | Fig BRI-S13.16 | Landscaping & Bushfire Management |
| Fig BRI-S13.3 | Precinct D Concept Plan | Fig BRI-S13.17 | Road Network |
| Fig BRI-S13.4 | Precinct Area Plan | Fig BRI-S13.18 | Stormwater Catchments |
| Fig BRI-S13.5 | Housing Typologies | Fig BRI-S13.19 | Water Supply Network |
| Fig BRI-S13.6 | Housing Typologies | Fig BRI-S13.20 | Sewer Network |
| Fig BRI-S13.7 | Housing Typologies | Fig BRI-S13.21 | Power Supply Network |
| Fig BRI-S13.8 | Housing Typologies | Fig BRI-S13.22 | Precinct Staging Plan |
| Fig BRI-S13.9 | Building Envelope | | |
| Fig BRI-S13.10 | Building Envelope – Corner Lots | | |
| Fig BRI-S13.11 | Building Envelope – Internal Lots | | |
| Fig BRI-S13.12 | Multiple Dwelling Separation | | |
| Fig BRI-S13.13 | Street Trees | | |
| Fig BRI-S13.14 | Road Design | | |

9 July 2025

Chief Executive Officer

Brighton Council

1 Tivoli Road

Old Beach TAS 7017

To whom it may concern,

I am writing as a resident of [REDACTED] to formally object to the proposed amendment RZ 2025-004, which seeks to rezone 50, 170, and 182 Boyer Road and 25, 29, and 31 Cobbs Hill Road from Rural Resource to Rural Living, and to introduce the Boyer Road Precinct Specific Area Plan (SAP). While I acknowledge Tasmania's housing challenges, this proposal is not appropriate for this location and risks long-term harm to the character, safety, and amenity of the area.

1. Incompatible with Local Character and Planning Intent

The Cobbs Hill–Boyer Road corridor is a semi-rural buffer between urban Bridgewater and the surrounding countryside. The proposed rezoning would erode this transition zone and set a precedent for creeping urbanisation. The Rural Living zone is intended for low-density development that complements rural character—not for clustered or high-turnover housing, as may result from public housing initiatives.

2. Infrastructure and Traffic Strain

Boyer Road is already a busy arterial route, and Cobbs Hill Road is narrow, unlit, and lacks footpaths. The proposed development would increase traffic volumes and safety risks, particularly at the Cobbs Hill–Boyer Road intersection. The Boyer Road Precinct Structure Plan acknowledges infrastructure gaps, but no concrete upgrades have been committed to date.

3. Bushfire Risk and Emergency Access

The land is bushfire-prone, and the SAP does not clearly demonstrate how evacuation and emergency access will be managed. Concentrating housing in this area without robust mitigation strategies is irresponsible and places future residents at risk.

4. Visual and Environmental Impact

The elevated site is highly visible and ecologically sensitive. Development would disrupt native vegetation and wildlife corridors, degrading the landscape and biodiversity. The SAP's environmental assessments are not publicly detailed enough to reassure residents.

5. Lack of Transparency and Community Engagement

While the SAP claims to be informed by consultation, many residents—including myself—were unaware of the scale and intent of the proposal until recently. The community deserves full disclosure of the development's nature, density, and management—particularly if public housing is involved.

6. Precedent and Cumulative Impact

Approving this amendment would open the door to further densification along Cobbs Hill and Boyer Roads, undermining the strategic planning framework and the rural values that define this area. A petition opposing the rezoning has already garnered significant support.

Conclusion

I respectfully request that Brighton Council reject amendment RZ 2025-004, or at minimum defer it pending:

- A comprehensive traffic and infrastructure impact assessment
- A detailed bushfire risk mitigation strategy

- Transparent disclosure of the intended development type and density
- Genuine, inclusive community consultation

This is not NIMBYism. It is a call for thoughtful, place-sensitive planning that respects the existing community and environment.

Sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Brian White

From: [REDACTED]
Sent: Saturday, 26 July 2025 2:24 PM
To: Development
Subject: re Notice of Draft Planning Scheme Amendment RZ2025/04

Caution: This is an external email and may be **malicious**. Please take care when clicking links or opening attachments.

I wish to make it clear that I am not opposed to change and that I understand the need for more housing. I simply ask that the unique rural identity of our community is protected for future generations.

I am strongly opposed to any proposal that does not align with the rural residential zoning that presently exists in this area.

Our larger blocks and associated greenery, provide a home to an extensive range of native wildlife. These beautiful creatures would not be able to survive in a large development with tiny blocks.

We choose to live in this quiet, crime free, community where the space and connection to nature, provide an escape from modern lifestyle pressures, and stress related health issues. This land holds significant First Nations cultural value, including known Aboriginal middens in or near the proposed area and a large presence of identified First Nations people owning properties in the proposed area of the development.

We also have great concerns that the criminal element, currently active in Gagebrook and Bridgewater, will move into our area if high density housing is developed in close proximity to the East and the West of us.

Regards [REDACTED]

Brian White

From: [REDACTED]
Sent: Monday, 28 July 2025 10:44 AM
To: Development
Cc: Gray, Leigh (Mayor); Curran, Barbara (Councillor); Murtagh, Tennille (Councillor); Irons, Greg (Councillor); McMaster, John (Councillor); Geard, Peter (Councillor); Owen, Phil (Councillor); Whelan, Michael (Councillor); Jo Blackwell; De La Torre, Aaron (Councillor)
Subject: Draft Amendment RZ_2025_24
Attachments: Draft Amendment RZ_2025_24.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

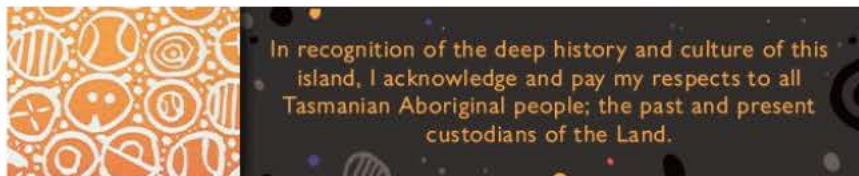
Caution: This is an external email and may be **malicious**. Please take care when clicking links or opening attachments.

Dear James and councillors of Brighton Council,

I have attached submissions regarding the proposed rezoning and development of Cobbs Hill Road, Boyer Road and the surrounding area.

Kind Regards

[REDACTED]
[REDACTED]
[REDACTED]



Chief Executive Officer

Brighton Council
1 Tivoli Road
Old Beach TAS 7017

Re: Representation Opposing Draft Planning Scheme Amendment RZ 2025/24

Dear James,

I am writing to formally object to Draft Planning Scheme Amendment RZ 2025/24, recently certified by Council on 1 July 2025. I am a resident of Cobbs Hill Road, which the proposed changes will impact.

I firmly oppose the proposed amendment for these reasons:

Environmental and Biodiversity Impact

I am concerned about the adverse effects this amendment will have on native vegetation, wildlife habitats, and the overall biodiversity of the area. The proposed changes to the Priority Vegetation Overlay, particularly across properties on Cobbs Hill Road, appear to conflict with the Council's declared environmental and sustainability goals.

Loss of Semi-Rural Character and Amenity

The proposed rezoning from Future Urban to General Residential will significantly alter the character of this area. Cobbs Hill Road, Boyer Road, and the surrounding precincts currently provide a low-density, semi-rural lifestyle that many residents, including myself, have chosen for its open space, privacy, and peaceful environment. Introducing dense residential development will erode the area's unique identity and diminish the very qualities that define and enrich our way of life.

Crime and Community Safety

The proposed development is situated in a suburb already struggling with high crime levels and complex socio-economic issues. In contrast, the Cobbs Hill Road/Boyer area has preserved a strong community spirit, characterised by low-density layout and significantly lower crime rates. These are main reasons why residents like me have chosen to live here.

Introducing high-density residential development will jeopardise the safety and stability that currently define our neighbourhood. Instead of addressing existing issues in Bridgewater, this proposal risks spreading them to one of the last remaining quiet and secure parts of the suburb. This raises serious concerns for the well-being and quality of life of both current and future residents.

Increased Traffic and Safety Concerns

A development of this size would inevitably lead to a significant rise in traffic. The current road infrastructure, particularly along Cobbs Hill Road, is not designed to

accommodate such a high volume, raising genuine concerns about road safety for existing residents.

Cultural Heritage Impact

I understand that Aboriginal cultural heritage has been identified within and near the proposed rezoning area. This includes a registered artefact site (AH8815), a location with high potential for undiscovered artefacts (PAS1), and proximity to eight recorded Aboriginal shell middens along the River Derwent. Limited ground visibility during surveys suggests more cultural material may remain undetected, especially in the southwest of the precinct.

These sites hold great cultural and historical significance. Moving forward with development in this area could harm or wipe out this heritage and would show a lack of respect for Tasmania's shared history.

Precedent and Risk of Future Overdevelopment

Allowing this rezoning creates a concerning precedent for more suburban sprawl at the cost of green spaces, cultural values, and the semi-rural lifestyle we hold dear. Once lost, these qualities cannot be brought back.

For these reasons, I respectfully ask the Council to reject Draft Amendment RZ 2025/24. I encourage the Council to protect the amenity, environment, and integrity of our community by making planning decisions that prioritise the long-term public interest over immediate development pressures.

For clarity, I am not opposed to development in principle. However, any plans must comply with current zoning and preserve the character and values of our neighbourhood.

Thank you for the opportunity to make this representation.

Sincerely,

A large black rectangular redaction box covering the signature area.

Date. 04 August 2025

Brighton Council

1 Tivoli road, Old Beach 7017

Email: development@brighton.tas.gov.au

Attn. Mr. James Dryburgh, Chief Executive Officer

Re. Notice of Draft Planning Scheme Amendment RZ 2025/04

Dear Mr. Dryburgh,

We are the land owners of 31 Cobbs Hill Road Bridgewater TAS 7030, and are writing to make a representation regarding the draft amendment noted above.

We have a few questions and/or comments regarding the draft amendments available for viewing and would like to bring them to your attention and/or consideration and/or action.

Attachment A – Instrument of Certification:

Page 1 and Annexure 3. it is noted in Item 1a. “*amend the priority vegetation area overlay on 31 Cobbs Hill Road as shown in Annexure 3.*” Can we please be provided or directed to where we can view the requirements related to “the priority vegetation area overlay – Natural Assets Code Overlay”. The information couldn’t be located after visiting the stateplanning.tas.gov.au, tpso.planning.tas.gov.au and the Brighton council websites, hence we could not make an assessment (and hence a presentation) on the impact of the proposed extension of the particular overlay to our property.

Page 27, Clause BRI-S13.8.9 Width of openings for garages and carports for all dwellings – Precinct B
A2 – A garage or carport must: (a) have a single or single tandem garage, not more than 6.6m wide.”

Are the wordings in this clause implying the building of double garage is not permitted as it specifically referred to ‘single’ and ‘single tandem’ garages? For dwellings within this locality and the potential “family homes” targeted market, one would agree the provision of double garage is reasonable?

Page 28, Clause BRI-S13.8.11 Dwelling Design – All Precincts – Acceptable Solutions

A1 – “include at least one window facing the frontage from a habitable room that has a minimum Internal room dimension of 2.4m” Please clarify the reference to “room dimension of 2.4m”. Is the clause referring to the width / depth / ceiling height of the room? Or is it area which is in measurement unit “sqm”?

Page 43, Clause BRI-S13-10-1 Lot Design

A6 - Land within the Landscape Conservation Zone identified in Figure BRI-S13.1 must only be subdivided where the resultant lots have an area of more than 20 hectares.

We have particular concerns regarding the practicality of this clause in relation to our property, which we will elaborate further in this letter.

Page 46, Clause BRI-S13.10.2 Subdivision layout

A1 - Each lot, or a lot proposed in a plan of subdivision, must:

- (a) Be required for public use by the Crown, a council or a State authority;
- (b) Be required for the provision of utilities;

We question the wording of the clause above which is unclear to “what” is required for public use by the Crown, a council or a State authority? “What” be required for the provision of utilities? Are these clauses referring to roads within a lot? Are we referring to driveway access? Why is the driveway within the lot be required for public use by the Crown, a council or a State authority?

Attachment I – Agricultural Land Assessment Report:

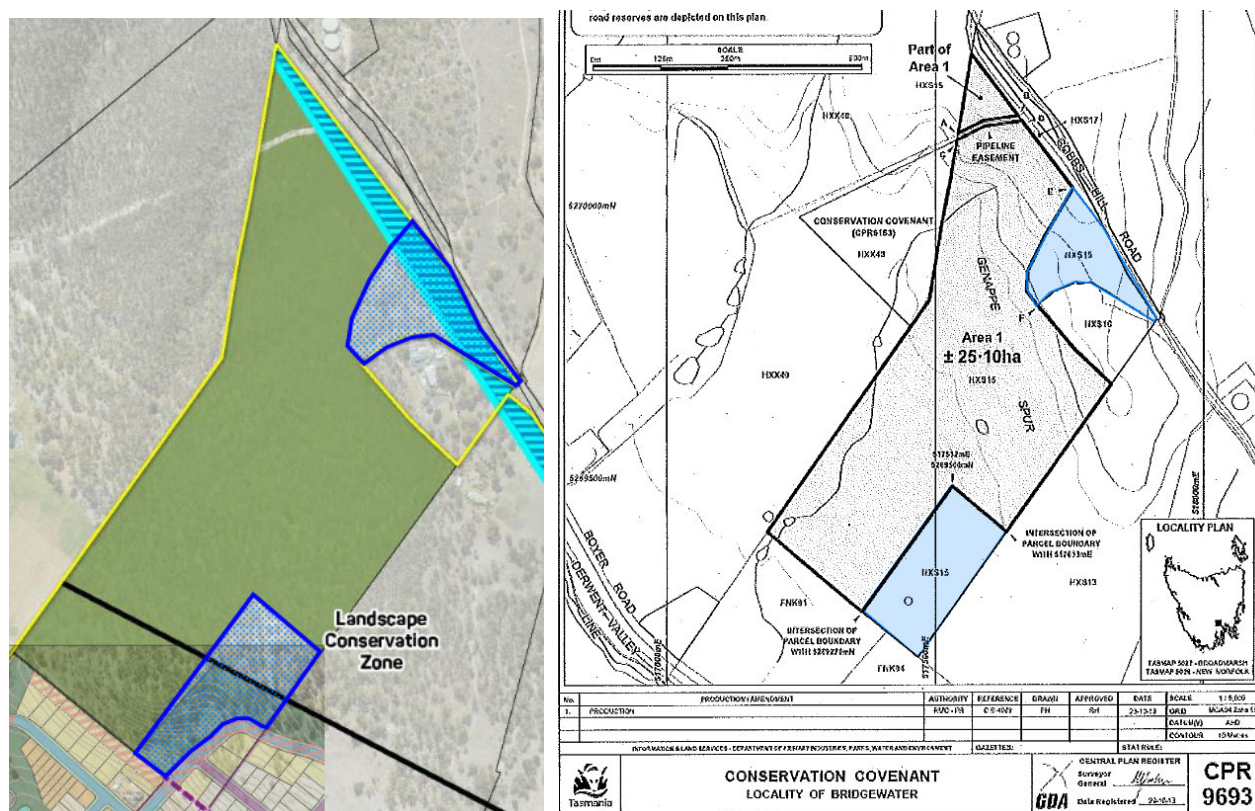
Page 8, please note the name of one of the owners of 31 Cobbs Hill Road Bridgewater 7030 stated in the report is incorrect and should be rectified from “Mung Ching Wong” to “Mun Ching Wong”

Attachment L – Costings and Attachment C – Boyer Road Precinct Structure Plan:

Given Figure BRI-S13.4 Precinct Area Plan in the Certified draft amendment demarcates the precinct boundaries based on the lots shown in the Development Framework prepared by Holmes Dyer, one would agree it is important that all associated documents related to the establishment of the precincts as part of this draft amendment submission should be updated to demonstrate correct, updated and consistent information. We have raised in an email to Brian White from Brighton City Council dated 17 July 2025 that the common infrastructure costs information shown in Attachment L – Costings, and, now also noted, the defined proportion of total theoretical lot yield by held landowner in page 66 of Attachment C – Boyer Road Precinct Structure Plan is outdated and inconsistent to Attachment P – Development Framework as well as Figure BRI-S13.4 Precinct Area Plan in the Certified draft amendment. We understand these maybe initial costing guides at this stage given Council decided not to proceed with the Part 5 agreement relating to implementing a costings mechanism, nevertheless information made available to the general public, in particular cost related information, should be accurate and relevant.

Landscape Conservation Zone

We have always questioned the alignment of the bounding perimeter established between the General Residential Zone and the Landscape Conservation Zone that runs through our property in the draft LPS, as it varies from the boundaries demonstrated in the Signed Conservation Covenant Vol. 152364 Fol. 2 provided to us by the Tasmanian Land Conservancy Inc. when we purchased the site in September 2019. Based on what, is this angled zoning boundary established?



The areas highlighted in light blue in the Conservation Covenant map above are the two lots of building area excluded from the Conservation Covenant within the property at 31 Cobbs Hill Road Brightwater 7030. While we understand due to various factors, such as bushfire and native vegetation and habitats, approximately 40% of the southern lot of the building area is proposed to be within the Landscape Conservation Zone, our concern is the imposition of *Clause BRI-S13-10-1 Lot Design – A6 “Land within the Landscape Conservation Zone identified in Figure BRI-S13.1 must only be subdivided where the resultant lots have an area of more than 20 hectares”*, will deem this portion of the building area valueless.

Our property at 31 Cobbs Hill Road Bridgewater is unique that it consists of three separate lots of area – within it, two building lots - one parcel of 2.4ha area at the north accessing from Cobbs Hill Road and one parcel of 3.7 ha area at the south as highlighted in the light blue hatch in the snapshot of the Conservation Covenant map above, and a conserved area of 25.10 ha separates the two building lots. By amending the planning scheme to impose the Landscape Conservation Zone over both the northern lot and part of the southern lot of the building area, and with the imposition of Clause BRI-S13.10-1 A6 on top, the two building lots are prevented from any future subdivision opportunities (separated from each other) even though it would be practical to do so when the two lots are not connected and are at least 380m away from each other, via difficult foot traffic access through the conserved forest. It is also our concern that under the Landscape Conservation Zone, *“Residential – it is permitted if for a single dwelling located within a building area, if shown on a sealed plan”*, that given the Northern lot and the Southern lot of building area are tie under a single property title that the building of only one single dwelling is permitted between the lots, i.e. if a single dwelling is built within the northern building lot, the balance of land excluded from the Boyer Rd Precinct Development at the southern building lot of approx. 2.7ha will be deemed un-buildable, or vice versa.

It does feel very much that being land owners who respect the land and imposed minimal alterations to the existing site conditions to date are being disadvantaged by having additional planning constraints imposed on what we can do within our privately owned properties, while properties such as 29A Cobbs Hill Road Bridgewater, where the land is cleared, where dilapidating vehicles are stored, where multiple Airbnb accommodation are built, does not have to comply with the same level of stringent planning constraints.

While we understand council is focusing on protecting the native ecological community on site, we would also ask that the equivalent level of consideration should also be implemented on protecting the asset of the existing private land owners concerned and not diminish the properties' future opportunities.

Please don't hesitate to contact us if you have any questions regarding the above. Thanks.

Regards,

[Redacted signature line]

[Redacted signature block]

[Redacted contact information line 1]
[Redacted contact information line 2]

Brian White

From: [REDACTED]
Sent: Tuesday, 22 July 2025 1:08 PM
To: De La Torre, Aaron (Councillor); Geard, Peter (Councillor); Irons, Greg (Councillor); McMaster, John (Councillor); Murtagh, Tennille (Councillor); Owen, Phil (Councillor); Whelan, Michael (Councillor); Jo Blackwell; Development
Subject: Objection to RZ 2025/04

Caution: This is an external email and may be **malicious**. Please take care when clicking links or opening attachments.

To Whom It May Concern,

I strongly oppose the proposed rezoning of land at Cobbs Hill Road and Boyer Road from rural residential to residential.

I do not oppose development of the area, as long as it remains as rural residential with the current minimum land area size.

Rezoning this area will completely change how I feel about my home, it will destroy the reason I built here and the reason I chose this area to live in.

I urge the Council to reject this rezoning to safeguard our environment, protect community interests and preserve the character of the area for future generations.

Kind Regards,

[REDACTED]
[REDACTED]

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Brian White

From: [REDACTED]
Sent: Saturday, 26 July 2025 3:04 PM
To: Development
Subject: Re: Draft Planning Scheme Amendment RZ 2025/04

Caution: This is an external email and may be **malicious**. Please take care when clicking links or opening attachments.

Attn: Chief Executive Officer, James Dryburgh

Dear Sir

I wish to again voice my strong opposition to this Planning Scheme amendment in its current format. I am not opposed to development - I recognise that it is necessary to accommodate our growing population however development in the two zones listed needs to be more in line with the existing community lifestyle preferences.

Our blocks are currently zoned Rural Residential with a minimum size of 5,000 square metres, but in spite of substantial community input and, dare I say, community outrage, Council is still planning to rezone the areas to allow blocks down to 450 square metres with potential for multiple residences on them. This in no way aligns with the existing style of the region and compromises the lifestyle of all existing residents.

As has been pointed out previously by myself and many others, this high-density planning will bring highly undesirable changes to our area. The existing residents all purchased their properties with the knowledge (confirmed by Brighton Council staff prior to the purchase of our property in our case) that there were no future changes to surrounding land zoning planned. We all happily went ahead with our plans, only to find that now, this same Council is planning to introduce poorly thought out rezoning of this self-same area.

Multiple townhouses, high density housing (and minimal concern for existing property owners) was spruiked joyfully on the ABC TV news on 20 June 2025 with politicians and media in attendance, all as if it is already a done deal. Is there to be no consideration given to the feedback and concerns from local residents?

I am concerned that crime rates will sky rocket in this area as has already been seen around other high-density developments in the region. Our chosen lifestyle of peace in a rural space will be gone. Will we be condemned to a future of high fences and gates to keep intruders out?

I also have concerns for the local First Nations people living in this area and what affect the proposed development will have on their cultural heritage. Some have expressed their grave concerns re the potential damage that could be brought about by this rezoning proposal.

Of major concern to me is the impact this development would have on local wildlife. We have several wallabies who regularly enjoy the resources of our property while also enjoying the freedom to explore neighbouring areas. Their comings and goings are greatly appreciated by our family along with the range of birdlife that regularly make use of our gardens. Essential native habitat in the surrounding area will be lost if it is overdeveloped as well as the impact that increased traffic in the area will have on wildlife.

As I stated earlier, I am not anti development, but it needs to be thoughtful and proper development with the feedback and concerns of existing residents taken into consideration and account.

- For example: keep blocks to a minimum of 2,000 square metres with only a single residence allowed.

We live in a unique and peaceful environment as is evidenced by our street names - Serenity Drive and Tranquillity Crescent. Please protect this rural community and its lifestyle for future generations and keep appropriate residential zoning in place.

Kind regards

[REDACTED]

Brian White

Subject: FW: Representation Opposing Draft Planning Scheme Amendment RZ 2025/24 - Boyer Rd

From: [REDACTED]

Sent: Tuesday, July 22, 2025 11:42 AM

To: James Dryburgh <James.Dryburgh@brighton.tas.gov.au>

Cc: Murtagh, Tennille (Councillor) <Cr.Murtagh@brighton.tas.gov.au>; Owen, Phil (Councillor) <Cr.Owen@brighton.tas.gov.au>; De La Torre, Aaron (Councillor) <cr.delatorre@brighton.tas.gov.au>; Whelan, Michael (Councillor) <cr.whelan@brighton.tas.gov.au>; Geard, Peter (Councillor) <Cr.Geard@brighton.tas.gov.au>

Subject: Representation Opposing Draft Planning Scheme Amendment RZ 2025/24 - Boyer Rd

Caution: This is an external email and may be **malicious**. Please take care when clicking links or opening attachments.

James – Brighton Council CEO

(councillors included to ensure full reach - may i please receive an email to say that this has been received)

Dear James,

I am writing to formally object to Draft Planning Scheme Amendment RZ 2025/24, certified by Council on 1 July 2025.

As a resident of Tranquility Crescent, and someone actively engaged in community wellbeing through my work in mental health, I am deeply concerned about the wide-reaching impacts this rezoning would have not just on land use, but on the health, safety, culture and cohesion of our community.

Let me be very clear: I am only supportive of maintaining the current Rural Residential zoning.

The proposed change to General Residential is incompatible with the lived values, planning expectations and long-term vision and future legacy of this community.

1. Loss of Semi-Rural Character and Natural Landscape The identity of Cobbs Hill Road, Tranquility Crescent and surrounding areas is grounded in its low-density, semi-rural lifestyle. The open space, privacy, minimal traffic, and natural environment including expansive grassed areas, tree-lined properties and scenic views are central to the wellbeing of those who live here.

This isn't just a preference, it's a lifestyle choice that has real therapeutic, environmental and community benefits. Higher-density residential zoning will permanently alter this character. Residents, including many who moved here to escape urban stressors, stand to lose their peace, connection to Country and sense of home.

2. Traffic, Infrastructure and Community Risk

The road infrastructure including Cobbs Hill Road and Boyer Road is not designed to accommodate the volume of traffic that will follow high-density development. Increased road use raises the risk of accidents and endangers pedestrians, cyclists, animals and residents. Furthermore, any argument that development will be staged or only occur once nearby areas are "built out" is not a valid safeguard. The act of rezoning itself is the gateway, once granted, pressure to develop increases, regardless of infrastructure readiness or community capacity. Other municipalities across Tasmania have seen this pattern repeatedly.

3. Crime, Social Issues and Community Erosion

Bridgewater is already recognised as an area with high rates of crime, antisocial behaviour and social disadvantage. These issues are not abstract they are felt daily by many residents. In contrast, the Tranquility Crescent precinct has retained a notably safer, more stable and connected community environment, due largely to its low-density zoning and physical separation. We are particularly thankful that Tranquility Crescent is not currently a through-road to Cobbs Hill, as this separation has helped protect the area from some of the more serious safety issues impacting other pockets of Bridgewater. Opening this area to high-density development and potentially increasing permeability is highly likely to extend existing social and safety challenges into one of the few remaining 'safe zones'.

Introducing more social housing without adequate wraparound social services, community development initiatives, and infrastructure investment is not "growth" — it's burden-shifting. We must first stabilise and strengthen what's already here before compounding the problem with further development.

4. Cultural Heritage and First Nations Displacement

This land holds confirmed Aboriginal cultural heritage, including:

- Artefact site AH8815
- An area of high archaeological potential (PAS1)
- Proximity to eight registered Aboriginal shell middens along the River Derwent

These are not minor considerations. Under the Aboriginal Heritage Act 1975 (TAS), disturbance of Aboriginal heritage without proper consultation, assessment and protection measures is both unlawful and unethical - as local residents any external consultation does not consider those who it directly impacts.

Limited ground visibility during field surveys means the full cultural significance has likely not yet been uncovered. Proceeding with rezoning places this heritage at immediate risk.

Further, a high number of self-identified Aboriginal people live in this area, specifically because it provides connection to Country, safety and space to live in alignment with cultural and community values. Rezoning will displace many and disrupt this cultural continuity.

5. Mental Health and Displacement of Vulnerable Residents

As a qualified social worker and wellbeing facilitator, I have lived and professional experience in this space. After whistleblowing against harmful clinical practices towards elders within Tasmania's health system, I moved here to recover away from burnout, intimidation and systemic failure. This land, this space, this community it saved my life.

I use my experience to support others through trauma, grief and mental health challenges via holistic and culturally sensitive practices. Many others in our community share similar stories. People who moved here for healing, peace, and stability are now facing the possibility of being pushed out, not due to cost, but due to incompatible planning decisions that prioritise urban expansion over community wellbeing.

I am already hearing from residents who say they will have to leave if this goes ahead, as they cannot tolerate the increased noise, density and emotional strain. This is especially true for neurodivergent people, those with PTSD, older residents, and trauma survivors, groups that are already overrepresented in Tasmania's mental health burden.

To be blunt: rezoning this land without considering its impact on mental health and community cohesion is negligent.

6. Environmental Impact and Contradiction of Planning Principles

The proposed rezoning affects land currently protected by Priority Vegetation Overlay, and would:

- Remove native vegetation
- Disrupt habitat for local wildlife
- Alter natural water flows
- Contribute to heat island effects
- Reduce carbon-sequestering grasslands and trees

These impacts contradict Brighton Council's own Environmental Sustainability Framework and Liveable Brighton 2042 Strategic Plan, which reference protection of green space, biodiversity, and character.

Further, the proposed changes appear inconsistent with the Tasmanian Planning Policies (TPPs), particularly:

- TPP 1: Liveable Communities, which promotes health, safety and access to nature
- TPP 3: Environment and Natural Resources, which commits to sustainable land use
- TPP 5: Cultural Heritage, which requires protection of Aboriginal heritage sites

7. Precedent and the Irreversible Nature of Rezoning

Once rural residential zoning is lost, it cannot be reinstated. We have seen this in other municipalities such as Kingborough and Huon Valley, where piecemeal rezonings led to suburban sprawl, infrastructure shortfalls, and loss of community identity. Approving this amendment would set a precedent that short-term development pressure overrides long-term community values and wellbeing — a dangerous path for Brighton Council to walk.

In Summary I respectfully urge Brighton Council to reject Amendment RZ 2025/24 on the basis of:

- The complete loss of semi-rural character and identity
- Infrastructure and traffic capacity failure
- Heightened risk of crime and antisocial behaviour spillover
- Clear cultural heritage significance under Tasmanian law
- Displacement of Aboriginal and vulnerable residents
- Detrimental impacts on community mental health
- Contradiction of Council and State strategic planning policies
- Irreversible environmental and social consequences
- Absence of appropriate safeguards or integrated social planning

We are not anti-development — we are pro-community, pro-Country, and pro-sustainable, compassionate planning.

A large portion of the community — both in the high-density area of Bridgewater and on this side of the bridge — have previously voiced strong concerns during Stage 1 of the Cobbs Hill Road development, which many felt was handled without transparency.

We've made it clear: we want to preserve the lifestyle, diversity, and unique character of Bridgewater.

Please don't take that away from us.

Thank you for the opportunity to submit this representation. I remain available for any further discussion. Warm regards,

[REDACTED]

[REDACTED]

[REDACTED]

Chief Executive Officer

Brighton Council
1 Tivoli Road
Old Beach TAS 7017

Re: Representation Opposing Draft Planning Scheme Amendment RZ 2025/24

Dear James,

I am writing to formally object to Draft Planning Scheme Amendment RZ 2025/24, recently certified by Council on 1 July 2025. I am a resident of Tranquility Crescent, which is directly affected by the proposed changes.

I strongly oppose the proposed amendment for the following reasons:

1. Loss of Semi-Rural Character and Amenity

The proposed rezoning from Future Urban to General Residential will significantly alter the character of this area. Cobbs Hill Road and Boyer Rd and its surrounds currently offer a low-density, semi-rural lifestyle that many residents, including myself, deliberately chose for its open space, privacy, and quietness. Replacing this with dense residential development will fundamentally change the area's identity and diminish the qualities that make it unique.

2. Increased Traffic and Safety Concerns

The scale of residential development that may follow such rezoning would inevitably lead to a substantial increase in traffic volumes. The current road infrastructure is not designed to handle this increase. This raises concerns about road safety for both current residents and future occupants.

3. Environmental and Biodiversity Impact

I am concerned about the potential impact on native vegetation, local wildlife habitats, and overall biodiversity. The amendment proposes changes to Priority Vegetation Overlay on properties in Cobbs Road and affects properties with sustainability objectives. This appears inconsistent with Council's broader environmental commitments.

4. Crime and Community Safety

The proposed development is located in a suburb already grappling with high crime rates and significant social and economic challenges. In contrast, the Tranquility Crescent area offers a markedly different environment, characterised by its low-density layout, strong sense of community, and notably lower incidence of crime. Many residents, including myself, deliberately chose to live in this part of the suburb for these very reasons.

Introducing high-density residential development into this pocket risks undermining the stability and safety that currently defines our neighbourhood. Rather than addressing existing issues within Bridgewater, this amendment threatens to extend them into one of the few remaining areas that has, until now, maintained a peaceful and secure living environment. This raises serious concerns about the long-term impact on both existing and future residents' quality of life and community wellbeing.

5. Cultural Heritage Impact

It is my understanding that Aboriginal cultural heritage has been confirmed both within and near the area proposed for rezoning. This includes a recorded artefact site (AH8815), an area assessed as having high potential for undiscovered artefacts (PAS1), and proximity to a cluster of eight registered Aboriginal shell middens along the River Derwent. While some cultural deposits were found during field surveys, limited ground visibility due to vegetation

suggests that additional artefacts may remain undetected, particularly in the south-western portion of the precinct. These sites and areas hold deep cultural and historical significance and must be protected. Proceeding with development in such sensitive zones risks disturbing or destroying valuable Aboriginal heritage, and would undermine efforts to respectfully preserve Tasmania's shared cultural history.

6. Precedent and Future Overdevelopment

Approving this rezoning sets a concerning precedent for further suburban expansion at the cost of green space, heritage, and rural lifestyle values. Once land is rezoned and developed, these attributes cannot be reclaimed.

For these reasons, I respectfully request that Council reconsider and reject Draft Amendment RZ 2025/24. I urge Council to protect the character, amenity, and environment of this community by upholding planning decisions that reflect long-term community interests rather than short-term development pressures.

I want to emphasise that I am not opposed to further development in the area; however, I strongly believe that any future development should be in harmony with the existing zoning and the character of our community

Thank you for the opportunity to make this representation.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Brian White

From: [REDACTED]
Sent: Wednesday, 30 July 2025 10:29 AM
To: Development
Cc: De La Torre, Aaron (Councillor); Geard, Peter (Councillor); Irons, Greg (Councillor); McMaster, John (Councillor); Murtagh, Tennille (Councillor); Owen, Phil (Councillor); Whelan, Michael (Councillor)
Subject: Draft planning scheme RZ 2025/24

Caution: This is an external email and may be **malicious**. Please take care when clicking links or opening attachments.

Dear James

We are writing to express our concerns and object to the Draft Planning Scheme Amendment RZ 2025/24.

The Semi Rural nature of this area offers a peaceful and spacious lifestyle that local residents including My family cherish.

We are concerned that Reducing to smaller blocks will significantly change the character of our lovely neighbourhood, instead potentially turning it into a densely over populated residential area. Smaller block sizes will likely result in the loss of green spaces, loss of local wildlife and loss of the beautiful area that we all live in.

Rezoning does risk in overloading the area, bringing crime, and reducing the diversity and balance that makes this community so special.

We strongly encourage the Development team and Council to reconsider the rezoning proposal and to keep the current Rural- Residential zoning with the 5000m2 block sizes to align with what is already situated along Boyer Road/ Cobbs Hill.

Thankyou for taking the time to consider this feedback.

[REDACTED]
[REDACTED]

Sent from my iPhone

Department of State Growth

Salamanca Building, Parliament Square
4 Salamanca Place, Hobart TAS 7000
GPO Box 536, Hobart TAS 7001 Australia
Phone 1800 030 688 Fax (03) 6233 5800
Email info@stategrowth.tas.gov.au Web www.stategrowth.tas.gov.au
Your Ref: RZ 2025/04 / Our Ref: D25/210735



Chief Executive Officer
Brighton Council
1 Tivoli Road
OLD BEACH TAS 7017
Email: development@brighton.tas.gov.au

Draft amendment RZ 2025/04 – Boyer Road and Cobbs Hill Road, Bridgewater

Thank you for the opportunity to comment on the above draft amendment at Bridgewater.

The Department of State Growth (State Growth) notes the proposed rezoning of the land to the General Residential Zone and the new Boyer Road Specific Area Plan would provide for the development of about 388 new residential lots across four precincts. The land has been identified for future residential development under the existing *Southern Tasmania Regional Land Use Strategy*.

State Growth supports the intention to provide a range of lot sizes and housing types in the specific area plan. However, it is noted that servicing the site with public transport will be difficult and this, along with the proposed dispersal of density across the site and distance from shops and services, means the area will likely be highly car dependent.

Detailed comments are provided below, including some matters that State Growth recommends are considered prior to the subdivision stage.

Passenger transport

State Growth is responsible for passenger transport network planning in Tasmania, not Metro Tasmania as noted in the Traffic Impact Assessment (TIA) (page 34). State Growth aims to meet transport demand fairly and efficiently as much as possible within the constraints of a finite public transport budget. Any increase in services, including new routes, in one area must be balanced by reductions elsewhere unless the Government provides additional ongoing funding.

The proposed rezoning will provide for nearly 400 dwellings more than 1.5 kilometres from current public transport services. Currently, there is no efficient route option aligned with State Growth's service principles to effectively service this site.

The rezoning documentation considers a potential bus route, or stop, can be provided within 400 metres of every allotment. However, it is highly unlikely that State Growth can divert or establish a new route here given budget constraints.

Specific Area Plan

State Growth supports efforts to encourage high-quality housing design across all precincts. The alternative housing and lot forms in Precinct A (duplex and triplex townhouses) are supported.

The highly prescriptive nature of the development standards may be a barrier to development in some instances. However, following a recent briefing from council staff we understand the intent to drive high-quality and desirable housing and are supportive of council's endeavours in this regard. Council is encouraged to prepare written guidance or work closely with individual developers to make sure these standards can be met.

The specific area plan proposes precincts (B and C) of lower density than the General Residential Zone. It is unclear why Precinct B particularly should limit housing density to less than that provided by the Zone especially as higher density would be a likely precursor to any consideration for public transport services.

Precinct D provides for some mixed-use development, including community and retail activity. State Growth understands Council's intention is for retail activity to be encouraged along Old Main Road with Precinct D potentially being used for a local child-care centre or shop, with well-connected pathways to try and mitigate some car trips and build a sense of local community in the development area. While State Growth supports the thinking behind this, Precinct D would likely be more effective if it was more centrally located within the overall site, and State Growth would encourage consideration of this design change.

Noting all of the above, State Growth considers the area will likely have a high level of car dependence.

Council may wish to encourage developers to consult the Department of State Growth's Medium Density Design Guidelines as a starting point for engaging with many of the design elements incorporated in the specific area plan's development standards.

Road network and asset management

The Traffic and Transport Report TIA recommends a shared pathway along Boyer Road. State Growth strongly recommends the pathway is delivered as part of the subdivision at the cost of each developer. State Growth expects that any future pathway facilities in the state road reservation would be owned and maintained by council, as per the *Roads and Jetties Act 1935*.

The existing road corridor has some embankment constraints that means additional land may be required from the subdivision to allow sufficient room for the shared pathway, rising main, existing power poles, drainage, and telecommunication services. State Growth prefers to limit service infrastructure within the road reserve (especially parallel to our roads), and any work would require a works permit and agreement with State Growth.

Boyer Road, from the bend west of the first proposed junction near Serenity Drive to the westernmost proposed junction is used for overtaking in both directions. State Growth requests council consider whether the proposed middle junction is required, or whether the site can effectively function with only two (easternmost and westernmost junctions). A detailed Traffic Impact Assessment would confirm these requirements. Details available on our website here: <https://www.transport.tas.gov.au/?a=108491>

In the Boyer Road Precinct Structure Plan, 'Summary of Infrastructure Funding Allocation' section, stormwater is proposed to drain to 'External Culverts', noting this will be at 'no cost' as the culverts are already in place. Please note, the use of culverts in the state road corridor will be dependent on the hydraulic assessment and reporting that will need to be undertaken as part of the stormwater management analysis for any future development. The latest Australian Rainfall and Runoff guideline document requires stormwater assessment account for higher intensity rainfall and associated climate change and resilience impacts. The culverts may therefore need to be upsized to cater for additional stormwater flow due to the development.

State Growth should be consulted at detailed design stage, particularly in relation to stormwater management and pavement design.

Landslide hazard

The site has no conspicuous landslides in the General Residential Zone footprint, however there is an area with texture suggesting slope creep has occurred (see red outline in Figure 1 below).

State Growth recommends that consideration of this feature be undertaken prior to the development of the subdivision. Although this feature indicates past slope movement, its age, activity and mechanism are unclear.



Figure 1 Area of potential slope creep

Thank you again for the opportunity to comment. If you have any questions I invite you to contact Claire Armstrong by email at planningpolicy@stategrowth.tas.gov.au or telephone on 6166 4484 for more information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'ASmythe', with a stylized flourish at the end.

Andrew Smythe
General Manager - Policy, Strategy and Projects

4 August 2025

Brian White

From: Parnell, Jennifer <Jennifer.Parnell@parks.tas.gov.au>
Sent: Monday, 4 August 2025 5:21 PM
To: Development
Cc: Campbell, Brian; Rushton, Ashley; Brown, Rachel; Harvey, Andrew
Subject: Draft Planning Scheme Amendment - Boyer Rd

Follow Up Flag: Follow up
Flag Status: Flagged

Caution: This is an external email and may be **malicious**. Please take care when clicking links or opening attachments.

Dear James,

The purpose of this email is to highlight that the adjacent waters and riverbank, adjacent to the proposed rezoning of land parcels on Boyer Road, form part of the Derwent River Marine Conservation Area.

I note the documentation submitted – i.e. Structure Plan and Landscape Plan - do not identify this Conservation Area, which is particularly relevant to the future proposed general residential land use, as the Conservation Area is the receiving environment for stormwater and run-off.

This should be taken in to consideration in planning and design such that stormwater and runoff / overflow does not result in adverse impacts to the reserve values of the Conservation Area.

Any proposed future works on reserved land (i.e. foreshore for stormwater drainage infrastructure, footpaths etc) to enable the proposed adjacent residential area will need to be assessed to determine it is compatible with the management objectives of Conservation Area, and receive the appropriate authorisation.

I note also that the proposed rezoning includes an area under Private Land Conservation Covenant (PLAC), although this land is not identified for housing. It is unclear if this has been considered is a land suitability assessment given its status.

Please do not hesitate to contact me if you have questions.

Regards

Jen



Jen Parnell
 Manager, Policy, Planning and Legislation

M: 0460 010 600

Tasmania Parks and Wildlife Service
Jennifer.Parnell@parks.tas.gov.au
 Level 6, 134 Macquarie St Hobart TAS 7000
 GPO Box 1751 Hobart TAS 7001



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22 July 2025

c/o Chief Executive Officer
Via Email development@brighton.tas.gov.au

Dear Sir/Madam,

RE: Draft Amendment RZ 2025/ 04 - Brighton Local Provisions Schedule

TasRail appreciates the opportunity to review and provide feedback on the proposed zoning and ordinance changes to support the residential development at 50 Boyer Road, 170 Boyer Road, 182 Boyer Road, and parts of 25, 29, and 31 Cobbs Hill Road.

While TasRail has no objection to the proposed rezoning and acknowledges the proposal's alignment with broader strategic planning objectives, we wish to highlight several planning considerations regarding potential impacts on the adjoining rail corridor. In particular, these relate to stormwater management, level crossing safety, and the proposed use of nearby Crown land.

A. Stormwater Catchments and Rail Infrastructure Interface

The development spans three distinct stormwater catchments, each of which discharges across or near the rail corridor through existing (but potentially undersized) infrastructure:

- **Catchment 1 (50 Boyer Road):** Discharges under Boyer Road into an open table drain running parallel between Boyer Road and the rail corridor for approximately 200 metres before entering a culvert near the Riverside Drive rail crossing.
- **Catchment 2 (170 Boyer Road):** Discharges under Boyer Road and subsequently under the rail corridor before flowing into the Derwent Estuary.
- **Catchment 3 (Boyer Road area):** Similarly discharges under Boyer Road and beneath the rail line before entering the estuary.

While these drainage pathways are already in place, the scale of the proposed development and the resulting increase in impervious surface area is expected to significantly increase stormwater runoff volumes and peak flow rates. This raises several key concerns:

Key Concerns:

1. Culvert Capacity and Condition:

- The culverts under the rail corridor in Catchments 2 and 3 are smaller than those under Boyer Road, creating a potential bottleneck.
- In Catchment 1, the extended surface flow along the rail corridor increases the risk of water accumulation, erosion, and embankment exposure.

Recommendation: A full hydraulic and condition assessment of all culverts affecting the rail corridor is required to ensure their adequacy under post-development flow conditions.

2. Erosion and Track Undermining:

- Increased runoff velocities may lead to erosion, scouring, and potential destabilisation of the rail embankment, especially near culvert outlets or where stormwater flows parallel to the track.

3. Flooding and Operational Disruption:

- In high-intensity rainfall events, blocked or undersized culverts could result in water backflow into the corridor, posing risks to rail safety and asset integrity.

4. Incomplete Stormwater Strategy for Catchment 1:

- Unlike the eastern catchments, Catchment 1 does not appear to include dedicated detention or attenuation infrastructure.

Recommendation: The stormwater strategy should be reviewed to consider Catchment 1, ensuring adequate controls are in place to protect the rail corridor.

5. Maintenance Responsibilities:

- Both natural features (swales, sediment ponds) and proprietary treatment devices (e.g. GPTs, filtration units) require regular maintenance to function effectively.

Recommendation: Responsibility for the long-term ownership, operation, and maintenance of these assets must be clearly defined and whether this lies with the developer, Council, or another entity.

B. Level Crossing and Pedestrian Safety

With increased vehicle and pedestrian traffic anticipated from the development, TasRail recommends that an updated ALCAM (Australian Level Crossing Assessment Model) risk assessment be undertaken for:

- The Boyer Road level crossing, and
- Any existing pedestrian crossings, particularly where dedicated pedestrian or cycle paths are planned.

To note, in line with ONRSR policy, TasRail follows an industry practice of not supporting new pedestrian rail crossings due to the increased safety risks they present. This position is particularly relevant in areas where potential connections to the Derwent foreshore are being considered.

Recommendation: Brighton Council should engage early with TasRail's Signalling Asset Manager to assess the impacts on crossing infrastructure and determine whether any upgrades or safety improvements are warranted.

C. Use of Crown Land Adjacent to the Rail Corridor

It is understood that elements of the development may involve the use of Crown land adjacent to the rail corridor, including public open space, or access to the foreshore (reference to *New proposed open space precinct/foreshore connection*).

Given the critical nature of this land in relation to corridor access, any proposed use of Crown land must involve formal consultation with TasRail and the Department of State Growth.

Recommendation: Council should ensure that TasRail is engaged in the early stages of any design or planning activities that may affect or involve State Rail Network land.

Summary of Requests

To safeguard the operational integrity and safety of TasRail infrastructure, we request that the following matters be considered or further information provided prior to planning stage:

- 1) Completion of a hydraulic assessment of all culverts under and adjacent to the rail corridor;
- 2) Full inclusion of Catchment 1 in the stormwater management strategy;
- 3) Clarification of maintenance responsibilities for all stormwater infrastructure;

- 4) Consideration of physical rail corridor protection where stormwater discharges may impact rail assets;
- 5) Engagement with TasRail's Signalling Asset Manager to assess public and pedestrian crossing risks and the need for ALCAM updates;
- 6) Formal consultation with TasRail where any part of the development involves or affects Crown land adjacent to the railway corridor.

We thank Brighton Council for the opportunity to provide feedback and welcome further engagement to support the development outcome.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Mel Axford', written in a cursive style.

Mel Axford

Property, Legal and Compliance Manager

Submission to Planning Authority Notice

Application details

Council Planning Permit No. RZ 2025/ 04
Council notice date 2/07/2025
TasWater Reference No. TWDA 2025/00766–BTN
Date of response 04/08/2025
TasWater Contact Al Cole
Phone No. 0439605108

Response issued to

Council name BRIGHTON COUNCIL
Contact details development@brighton.tas.gov.au
Development details
Address 50 BOYER RD, BRIDGEWATER
Property ID (PID) 7676361
Description of development Brighton LPS Draft Amendment – Boyer Road Specific Area Plan

Schedule of drawings/documents

| Prepared by | Drawing/document No. | Revision No. | Issue date |
|------------------|----------------------|--------------|------------|
| Brighton Council | RZ2025/04 | N/A | 16/01/2024 |

Conditions

Pursuant to the *Water and Sewerage Industry Act 2008* (TAS) Section 56S(2) TasWater makes the following submission(s):

1. TasWater does not object to the draft amendment to planning scheme and has no formal comments for the Tasmanian Planning Commission in relation to this matter and does not require to be notified of nor attend any subsequent hearings.

Advice

General

For information on TasWater development standards, please visit

<https://www.taswater.com.au/building-and-development/technical-standards>

For application forms please visit

<https://www.taswater.com.au/building-and-development/development-application-form>

Declaration

The drawings/documents and conditions stated above constitute TasWater's Submission to Planning Authority Notice.