



**Brighton
Council**

**MINUTES OF THE PLANNING AUTHORITY MEETING
OF THE BRIGHTON COUNCIL, HELD IN THE COUNCIL CHAMBERS,
COUNCIL OFFICES, 1 TIVOLI ROAD, OLD BEACH
AT 5.50P.M. ON TUESDAY, 2 SEPTEMBER 2025**

PRESENT: Cr Gray (Chairperson); Cr Curran; Cr De La Torre; Cr Irons; Cr Owen & Cr Whelan.

IN ATTENDANCE: Cr McMaster; Mr C Pearce-Rasmussen (Director Asset Services); Ms J Banks (Director, Governance & Regulatory Services); Mrs J Blackwell (Manager Planning); Mr B White (Strategic Planner)

1. STATEMENT BY THE CHAIRPERSON

2. ACKNOWLEDGEMENT OF COUNTRY

3. APOLOGIES & REQUESTS FOR LEAVE OF ABSENCE

There were no apologies.

4. NOTIFICATION OF LEAVE OF ABSENCE FOR PARENTAL LEAVE

Nil.

5. PUBLIC QUESTION TIME AND DEPUTATIONS

There was no requirement for Public Question Time.

6. DECLARATION OF INTEREST

In accordance with the requirements of Regulation 10(8) of the *Local Government (Meeting Procedures) Regulations 2025*, the chairperson of a meeting is to request Councillors to indicate whether they have, or are likely to have, an interest in any item on the agenda.

In accordance with Section 48(4) of the *Local Government Act 1993*, it is the responsibility of councillors to then notify the Chief Executive Officer, in writing, the details of any interest(s) that the councillor has declared within 7 days of the declaration.

There were no declarations of interest.

7. COUNCIL ACTING AS PLANNING AUTHORITY

In accordance with the provisions of Part 2 Regulations 25 of the *Local Government (Meeting Procedures) Regulations 2025*, the intention of the Council to act as planning authority pursuant to the *Land Use Planning and Approvals Act 1993* is to be noted. In accordance with Regulation 25, the Council will act as a planning authority in respect to those matters appearing under Item 7 on this agenda, inclusive of any supplementary items.

7.1 Planning Scheme Amendment to the Brighton Local Provision Schedule - RZ 2025/004 - Boyer Road Precinct Structure Plan Area - Section 40K Report

Author: Holmes Dyer obo Brighton Council

Authorised: Manager Planning (J Blackwell)

Type of Report:	Section 40K of <i>Land Use Planning and Approvals Act 1993</i>
File Reference:	RZ 2025-004
Requested by:	Brighton Council Officers
Owner:	Various
Location:	50 Boyer Road 170 Boyer Road 182 Boyer Road 25 Cobbs Hill Road 29 Cobbs Hill Road 31 Cobbs Hill Road
Proposal:	A. Amend the planning scheme maps to: a. Rezone the land at: i. 50 Boyer Road, 170 Boyer Road, 182 Boyer Road and parts of 25 Cobbs Hill Road, 29 Cobbs Hill Road and 31 Cobbs Hill Road from Future Urban Zone to General Residential Zone ii. Part of 31 Cobbs Hill Road from Future Urban Zone to Landscape Conservation Zone b. Amend the Priority Vegetation Area Overlay on 31 Cobbs Hill Road and 25 Cobbs Hill Road, Bridgewater c. Amend the Local Heritage Place BRI-C6.168 overlay mapping at 50 Boyer Road, Bridgewater d. Insert the Local Area Objective overlay on part of 50 Boyer Road, Bridgewater B. Amend the Planning Scheme Ordinance to: a. Introduce the Boyer Road Specific Area Plan at clause BRI-S13.0

Planning Instrument:	Tasmanian Planning Scheme – Brighton
Date Advertised:	5 July 2025 – 4 August 2025
Representations:	Fourteen (14)

1. PURPOSE

The purpose of this report is for Council (Planning Authority), pursuant to section 40K of the *Land Use Planning and Approvals Act 1993* ('the Act'), to consider the representations received (s.40J) during the exhibition period (s.40H) of draft amendment of RZ 2025-004 to the Brighton Local Provisions Schedule ('LPS') ('the draft amendment').

2. BACKGROUND

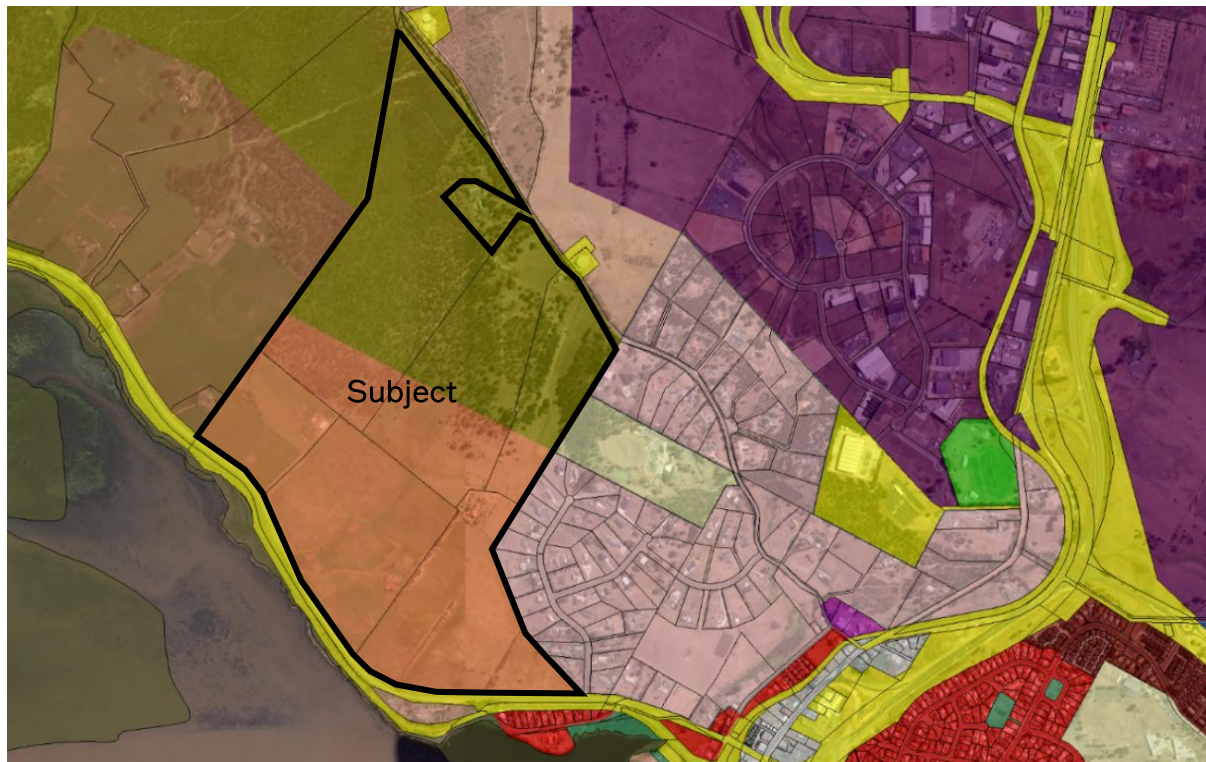
At its meeting on 1 July 2025, the Council, of its own motion, initiated the draft amendment to the Brighton LPS.

The draft amendment relates to 109 hectares of land specifically identified as 'Bridgewater North' within the Southern Tasmanian Regional Land Use Strategy 2010 – 2035, and proposes to:

- Rezone 54.8ha (50 Boyer Road, 170 Boyer Road, 182 Boyer Road and parts of 25 Cobbs Hill Road, 29 Cobbs Hill Road and 31 Cobbs Hill Road) of land from 'Future Urban' to General Residential;
- Rezone 3.52ha (Part of 31 Cobbs Hill Road) of land from 'Future Urban' to Landscape Conservation;
- Amend the Priority Vegetation Area Overlay on 31 Cobbs Hills Road and 25 Cobbs Hill Road, Bridgewater;
- Amend the Local Heritage Place BRI-C6.168 overlay mapping at 50 Boyer Road, Bridgewater; and
- Insert the Local Area Objective overlay on part of 50 Boyer Road Bridgewater.

The area which relates to the draft amendment (referred to as the 'subject site') is shown in Figure 1.

Figure 1. Area Subject to Draft Amendment



Source: TheList (as of 14 April 2025)

3. LEGISLATIVE REQUIREMENTS

In accordance with s.40H of the Act, the planning authority must exhibit the draft amendment for twenty-eight days. The draft amendment was exhibited from 5 July 2025 to 4 August 2025.

Following exhibition, the planning authority must consider any representations and provide a report to the Commission. The report must include (s.40K):

- (a) *A copy of each representation made under section 40J in relation to the draft amendment before the end of the exhibition period in relation to the draft amendment, or, if no such representations were made before the end of the exhibition period, a statement to that effect; and*
- (b) *A copy of each representation, made under section 40J in relation to the draft amendment after the end of the exhibition period in relation to the draft amendment, that the planning authority, in its discretions, includes in the report; and*
- (c) *A statement of the planning authority's opinion as to the merit of each representation*
- (d) *A statement as to whether it is satisfied that the draft amendment of an LPS meets the LPS criteria; and*
- (e) *Any recommendations in relation to the draft amendment that the planning authority thinks fit.*

4. REPRESENTATION AND RESPONSE

Table 1 provides a summary of the representations received and response on the merit of the representation as required by s.40K (2) of the Act.

Table 1. Summary of Representations

Representor	Submission Summary	Response on Merit
1	The amendment will erode the semi-rural transition between urban Bridgewater and surrounding countryside	The Boyer Road Precinct is one of the last remaining Greenfield Development Precincts within the Urban Growth Boundary and has been earmarked for future residential development (via the Future Urban Zone) for a number of years. As is required by Settlement and Residential Development (SRD) policy 1.5 of the STRLUS, the Boyer Road Precinct has been designed to achieve a net residential density of 15 dwellings per hectare. In line with SRD 2.8, the precinct has also been designed to provide for a mix of lot sizes to accommodate a diverse range of housing types to meet the changing needs of the community. This will result in some smaller lots located around the central areas of open space and adjacent Boyer Road. The Development Framework has been deliberately designed to provide minimum lot sizes of 1,000m² at the interface of the precinct with other zones to provide an appropriate transition to these areas. In addition, the placement of generous open space buffers has been designed into the framework, providing separation between rural living and agricultural uses and the future residential uses of the precinct. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
3, 5, 6, 7, 8, 9	The amendment does not align with the existing nature of the area	The land subject to the amendment currently presents as open farmland with a dwelling on each lot. The amendment and subsequent development will undoubtedly change this outlook. However, this land is located within the Urban Growth Boundary and has been earmarked for future urban development for some time.

Representor	Submission Summary	Response on Merit
		The precinct has been carefully designed to ensure there will be a substantial open space buffer between the existing residences along Serenity Drive (that currently back onto the Boyer Road Precinct area), and that future housing in this area will be sited on generously sized allotments. Significant, best practice landscape architecture inputs have guided the design of the precinct which has had regard to the scenic qualities of the site and the surrounding area. The representations do not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
1	The Rural Living Zone is not intended for high-turnover or clustered development	The amendment proposes the application of the General Residential Zone, which supports a variety of dwelling types, efficient use of existing social, transport, and service infrastructure, and compatible non-residential uses. A proposed net density of 15 dwellings per hectare aligns with the zone's residential purpose and does not represent clustered or high-density development. The framework encourages a diverse range of housing options, aiming to support long-term home ownership and respond to the evolving needs of the community. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
2, 5, 9	The land should align with the intention of the Rural Living Zone	Rezoning the land for rural-residential lots would not be an efficient use of one of the last remaining greenfield sites in Brighton Council. However, the precinct has been designed to provide for a mix of lot sizes to encourage a diversity of housing types, including larger (1,000m²) lots within Precinct C, which interface with land in adjoining low-density / rural zones.

Representor	Submission Summary	Response on Merit
		The representations do not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
6, 9	Block sizes should be 5,000m ²	The Southern Tasmanian Regional Land Use Strategy (STRLUS) requires that land within the Urban Growth Boundary, which is land identified for future residential growth to meet the region's demand, achieve a minimum density of 15 dwellings per hectare. Having lot sizes of 5,000m² within the Urban Growth Boundary would not be a sustainable or desirable town planning outcome given Brighton's strained supply of residential zoned land to meet anticipated demand. The representations do not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
1, 7, 8	The amendment would increase traffic volumes and safety risks	The future development of the precinct in line with the rezoning and development framework will increase traffic volumes, however, a detailed traffic impact assessment has been prepared which confirms that the proposed development can be effectively supported by both existing and planned transport infrastructure without causing any significant adverse impact on road network performance, safety, or capacity. The representations do not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
1	The Boyer Road PSP acknowledges infrastructure gaps, but no upgrades have been committed to date	Infrastructure delivery will be the responsibility of the developer and will occur in conjunction with the future subdivision of the precinct. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.

Representor	Submission Summary	Response on Merit
3, 6	Current road infrastructure is not designed to accommodate high volumes of traffic, especially Cobbs Hill Road and Boyer Road	The Boyer Road Precinct will not result any additional traffic on Cobbs Hill Road, with all vehicle access to be gained via three appropriately located intersections to Boyer Road to the south of the precinct. A detailed traffic impact assessment has been undertaken which indicates that there is sufficient capacity within the existing road infrastructure to accommodate the volume of traffic projected to be generated by the precinct. The representations do not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
1	The SAP does not clearly demonstrate how evacuation and emergency access will be managed	Bushfire mitigation measures recommended by a bushfire consultant have been incorporated into the SAP under provision BRI-S13.10.6, which mandates a 20m wide Hazard Management Zone along the boundary between the Landscape Conservation Zone and the proposed General Residential Zone. Additionally, Figure BRI-S13.16 identifies a potential fire trail link to provide emergency access through the open space network. The management of evacuation and emergency access will ultimately be addressed through the subdivision and planning application process. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
1, 2, 6, 9	The amendment would impact vegetation and wildlife corridors	Portions of 31 Cobbs Hill Road contain both listed and non-listed native communities. To ensure long-term environmental protection, the amendment proposes to extend the Landscape Conservation Zone over those areas of the land subject to an existing conservation covenant; and extend the Priority Vegetation Area layer over vegetation that falls outside the covenant.

Representor	Submission Summary	Response on Merit
		The Landscape Conservation Zone also provides habitat for several threatened species, such as the Tasmanian devil, quolls, swift parrot, and eastern barred bandicoot. To minimise ecological disturbance, the SAP includes provisions for low-density development along the zone boundary, and the provision of a connected open space network in accordance with the Development Framework which supports wildlife movement and maintains habitat connectivity. The representations do not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
2, 7, 8	Changes to the Priority Vegetation Overlay conflict with Council's Environmental and Sustainability Goals / Policies	It is proposed to <i>extend</i> the Priority Vegetation Overlay to cover areas of existing vegetation that have been identified as threatened species as part of the investigations informing the Boyer Road Precinct. The protection of these species via the Priority Vegetation Overlay is entirely consistent with Council policies relating to the environment and sustainability. The representations do not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
1	The community were unaware of the scale and intent of the proposal until recently	Prior to exhibition of the Planning Scheme Amendment, the project underwent two rounds of community consultation, which involved sending letters to surrounding residents and the wider community (~160 letters), invitations to attend community drop-in sessions at the council, notification of the Boyer Road Precinct project on Council's Have Your Say page and social media accounts, opportunities to view all documentation (and an easy read fact Sheet) on Council's Have Your Say page, and attend Council meetings as an observer in the public gallery.

Representor	Submission Summary	Response on Merit
		The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
1, 3, 6	The amendment would set a precedent for further densification and residential expansion	The Boyer Road Precinct is one of the last remaining Greenfield Development Precincts within the urban growth boundary and has been earmarked for future residential development (Future Urban Zone) for a number of years. The Boyer Road Precinct has been designed to achieve net density of 15 dwellings per hectare, which is consistent with Settlement and Residential Development (SRD) policy 1.5 of the STRLUS. The rezoning of greenfield land and density requirements of the STRLUS do not set a precedent for densification within existing residential areas, which are controlled by the development standards of the relevant zone. The representations do not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
6, 7	The amendment will result in high density housing	The residential density that will be achieved within the Boyer Road Precinct is 15 dwellings per hectare (net), which does not constitute high density. The development framework has been carefully designed to provide a mix of lot sizes to allow for increased housing diversity while also providing an appropriate low-density interface with adjacent land. The representations do not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.

Representor	Submission Summary	Response on Merit
7	Would set a precedent for short-term development that overrides long-term community values and wellbeing	Brighton Council is projected to continue experiencing strong population growth, however, there is currently an insufficient supply of suitably zoned land to accommodate the expected demand over the next two decades. The precinct stands as one of the final remaining Greenfield Development areas within Brighton Council, and has been identified in the STRLUS as an area earmarked for future residential expansion. The rezoning of greenfield land does not imply an expectation of immediate development. Rather, the amendment supports the planned delivery of a high-quality residential estate that aligns with the State's broader objective to increase the supply of residential land and encourage a more diverse range of housing options. This strategic approach seeks to enhance opportunities for home ownership, address the evolving needs of the community, and facilitate the provision of additional community infrastructure within Precinct D. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
2, 3, 6, 7, 8	High density housing and more social housing will result in increased crime	The perception that existing social issues are intensified through urban development is unfounded, with the amendment intended to provide a diverse range of housing typologies which will support a varied demographic. To mitigate unwanted social behaviour, additional developments standards surrounding Crime Prevention Through Environmental Design (CPTD) and passive surveillance have been included within the Specific Area Plan. The representations do not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.

Representor	Submission Summary	Response on Merit
1	The amendment should be refused or deferred pending: • A detailed Traffic Impact Assessment • A detailed Bushfire Risk Mitigation Strategy	A Traffic Impact Assessment and Bushfire Hazard Report have been prepared to inform the development of the PSA and SAP. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
4	The landowner's name referenced within the Agricultural Land Assessment Report for 31 Cobbs Hill Road is incorrect and should be rectified	The landowner's name referenced within the Agricultural Land Assessment Report for 31 Cobbs Hill Road has been corrected. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
4	The supporting documents within the Boyer Road Precinct Structure Plan should be updated to ensure consistency with the draft amendment	Comment noted.
6	Neighbouring landowners purchased their properties with the knowledge that Brighton Council had no intentions for future changes to zoning within the surrounding land.	The Boyer Road Precinct is one of the last remaining Greenfield Development Precincts within the urban growth boundary and has been earmarked for future residential development (via the Future Urban Zone) for a number of years. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.

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7	The development will negatively impact mental health due to increased noise, density, and emotional strain.	The overarching vision for the precinct is to establish a low-speed, pedestrian-friendly neighbourhood that encourages walkability, strengthens community connections, and fosters a sense of belonging among residents. The amendment provides for a broad mix of housing typologies, with minimum lot sizes ranging from 200m² to 1,000m², and incorporates extensive areas of open space designed to enhance connectivity and promote active modes of transport such as walking and cycling. In addition to their recreational and environmental value, these open spaces contribute positively to mental health and wellbeing by offering opportunities for relaxation, social interaction, and connection with nature. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
2	The land holds significant First Nations cultural values, including Aboriginal middens in or near the proposed area.	The precinct contains registered sites and areas of archaeological sensitivity, which include: • Site AH8815: An artefact scatter assessed as having medium scientific and aesthetic value, and high social significance. • Site AH11483: An isolated artefact rated low to medium for scientific significance and medium to high for social significance. • PAS1 (High Potential Archaeological Sensitivity): Although not directly tested, this area is considered highly sensitive due to the likelihood of undetected artefact deposits. It is recommended for conservation within open space. • MAS (Moderate Archaeological Sensitivity): Located along the south-western boundary, this zone is partially affected by proposed road connections to Boyer

Representor	Submission Summary	Response on Merit
		Road. Subsurface testing was conducted to evaluate the presence of Aboriginal cultural material. To ensure the protection of these culturally significant areas, the PAS1 and MAS zones, along with the registered heritage sites, have been incorporated into public open space. This approach prevents development and minimises disturbance, except for planned road connections to Boyer Road noting that no cultural material was present within the MAS zone. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
3, 6, 7, 8	The development could harm or remove Indigenous heritage.	To ensure the protection of culturally significant areas, the PAS1 and MAS zones, along with the registered heritage sites, have been incorporated into public open space. This approach prevents development and minimises disturbance, except for planned road connections to Boyer Road noting that no cultural material was present within the MAS zone. The SAP includes specific provisions requiring that any new subdivision involving open space must follow the spatial guidance outlined in Figure BRI-S13.16 of the Development Framework, whilst the establishment of residential allotments should be in accordance with the pre-determined Precinct areas as depicted within Figure BRI-S13.4, thereby ensuring the long-term preservation of these heritage areas. The representations do not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
3, 7, 8	Limited ground visibility during field surveys means that the full cultural	It is acknowledged that due to limited ground visibility, the full extent of Aboriginal heritage within the precinct cannot be confirmed with certainty. However, the

Representor	Submission Summary	Response on Merit
	significance of the development has likely not yet been uncovered.	Aboriginal Heritage Assessment indicated that, based on survey findings and previous archaeological research, the most probable site types would be isolated artefacts or small scatters, many of which may have been impacted by past land disturbance. An exception is the north-west portion, which contains less disturbed remnant Eucalypt forest and may hold more intact sites. In the event that previously unidentified sites or objects are discovered during future development, the procedures outlined in the Unanticipated Discovery Plan by Aboriginal Heritage Tasmania must be followed, in accordance with the <i>Aboriginal Heritage Act 1974</i> and the <i>Coroners Act 1995</i>. The representations do not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
7	The amendment will displace self-identified Aboriginal people and disrupt cultural continuity.	The land affected by the amendment is currently held under six separate private ownerships. Its development will facilitate the creation of approximately 388 new residential allotments and will incorporate substantial areas of open space, supporting connection to Country through the protection of Aboriginal heritage areas located within the precinct. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
4	The proposed boundary between the General Residential Zone and the Landscape Conservation Zone varies from the boundaries demonstrated in the signed Conservation Covenant	The current zone boundary is such that the south-western corner of 31 Cobbs Hills Road, which is subject to Conservation Covenant Vol. 152364 Fol 2, is located within the Future Urban Zone. The PSA will extend the Landscape Conservation Zone to include the south-western corner of 31 Cobbs Hills Road such that all land subject to the covenant is in the Landscape Conservation Zone.

Representor	Submission Summary	Response on Merit
	Vol. 152364 Fol 2. What is this angled zoning boundary based on?	The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
4	Extending the Landscape Conservation Zone (in conjunction with SAP Clause BRI-S13.10.1 A6, which restricts lots to >20 hectares in area) will prevent any future subdivision opportunities on two lots within 31 Cobbs Hill Road (2.4ha lot to the north and 3.7ha area to the south) despite these lots being separated by 380m.	The Landscape Conservation Zone will only be extended over the area of 31 Cobbs Hill Road that is currently subject to the Conservation Covenant. In response to advice from the consultant ecologist, the Priority Vegetation Area Overlay will be extended over a small portion of 31 Cobbs Hills Road that sits outside the covenant boundary to protect an area of threatened vegetation community, <i>Eucalyptus globulus</i> dry forest, which is listed under the <i>Tasmanian Nature Conservation Act 2002</i>. As well as being a threatened species, the <i>Eucalyptus globulus</i> dry forest also represents habitat for the critically endangered swift parrot. This community meets the definitions for priority vegetation under the Tasmanian Planning Scheme. The underlying zone will be General Residential. There remains an area within the southern portion of 31 Cobbs Hill Road that is not subject to the overlay that is capable of being subdivided to accommodate 4 dwellings. The 2.4ha of land in the northern portion of 31 Cobbs Hill Road will remain in the Landscape Conservation Zone, i.e., no change to zoning is proposed. In the Landscape Conservation Zone, the development standards for subdivision seek a minimum lot size of 50 hectares as the acceptable solution, with an absolute minimum of 20 hectares where performance criteria can be met.

Representor	Submission Summary	Response on Merit
		31 Cobbs Hill Road comprises a total of 33 hectares, 25 of which is subject to the conservation covenant. Therefore, there is no current subdivision potential for the portion of 31 Cobbs Hills Road that is within the Landscape Conservation Zone, and this will not change as a result of the PSA. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
4	Does the wording within Clause BRI-S13.8.9 imply that double garages are not permitted? With the development of 'family homes' the provision of double garages could be considered reasonable	Clause BRI-S13.8.9 A2 identifies a single or single tandem configuration as the only acceptable solution for garage and carport arrangements within Precinct B. The representation raises the exclusion of double garages within this clause. The inclusion of double garages is supported, and Clause BRI-S13.8.9 A2 within the SAP has been amended accordingly to incorporate provisions for double garages. Therefore, the representation raises a matter that warrants changes to the SAP forming part of the draft amendment. The amended SAP is provided as Attachment A.
4	Does the reference to 'room dimension of 2.4m' in Clause BRI-S13.8.11 refer to the width/depth/ceiling height of the room, or is the area which is in measurement unit 'sqm'	The reference to 'room dimension of 2.4m' refers to the requirement that the room have a minimum width and depth of 2.4 metres, i.e., a minimum floor area of 5.76m². The national building code requires habitable rooms to have a minimum floor to ceiling height of 2.4 metres. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.

Representor	Submission Summary	Response on Merit
4	Clause BRI-S13.10.1 would require lots within 31 Cobbs Hill Road to have an area of more than 20 hectares	The portion of 31 Cobbs Hills Road that will be within the General Residential Zone can have a minimum lot size of 1,000m². The balance of 31 Cobbs Hills Road within the Landscape Conservation Zone will be required to have a minimum lot size of 50 hectares to achieve the acceptable solution, or 20 hectares where performance criteria can be met. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
4	It is unclear as to what is required for public use by the Crown, a Council or State Authority in Clause BRI-S13.10.2. What does this refer to?	Clause BRI-S13.10.2 Subdivision Layout sets out that the only acceptable solution for subdivision layout is when each lot to be subdivided is for public use by the Crown, a council or State authority; or is required for the provision of utilities; or is for the purpose of consolidating lots. All other subdivision layouts need to demonstrate compliance with the performance criteria. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
State Growth	The amendment would provide for nearly 400 dwellings more than 1.5km from current public transport services. Currently, there is no efficient route option aligned with State Growth's service principles to effectively service the site. The amendment considers a potential bus route or stop can be	It is acknowledged that there is presently no efficient route option aligned with State Growth's service principles to service the area. However, it is important to note that the amendment forms part of a long-term strategic planning process, supported by a precinct plan that has specifically made allowances for the future establishment of public transport services. While it is not the intention that public transport infrastructure be delivered immediately, the amendment ensures that the potential for future service provision has not been excluded. The layout and structure of the precinct have been

Representor	Submission Summary	Response on Merit
	provided within 400m of every allotment. However it is highly unlikely that State Growth can divert or establish a new route here given budget constraints.	designed to accommodate a future bus route or stop within 400m of every allotment, should services become viable. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
	It is unclear why Precinct B 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 B allows a minimum lot size of 450m² as an acceptable solution, which is the same density as the General Residential Zone, not less. Precinct B is intended to provide for more traditional housing, as compared to Precincts A and D, which envisage greater housing diversity on smaller allotments. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
	While the intent behind Precinct D is supported, it is considered that Precinct D would likely be more effective if it was more centrally located within the overall site.	Precinct D has been deliberately located at the 'throat' of the estate, where it will pick up the highest volume of traffic entering the estate while also being readily visible from Boyer Road, and therefore from a commercial perspective, is the most viable location for a mixed use precinct. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
	It is considered that the development will likely have a high level of car dependence	It is recognised that the precinct's location is likely to result in a high degree of car reliance. To address this, the road network has been planned to support the potential future delivery of public transport infrastructure, with collector roads designed to accommodate such services. In accordance with BRI-S13.10.3 of the SAP, developers are required to implement a road hierarchy and associated pavement and reserve widths as specified in Figure BRI-S13.17.

Representor	Submission Summary	Response on Merit
		The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
	The site has no conspicuous landslides in the General Residential Zone footprint, however there is an area with texture in 29 Cobbs Hill Road and portions of 25 Cobbs Hill Road suggesting slope creep has occurred. It is recommended that consideration of this feature be undertaken prior to the development of the subdivision.	Comments noted.
	The existing Boyer Road corridor has some embankment constraints that means additional land may be required from the subdivision for the provision of the shared pathway and service infrastructure	
	Boyer Road, from the bend west of the first proposed junction near Serenity Drive to the	

Representor	Submission Summary	Response on Merit
	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). 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	

Representor	Submission Summary	Response on Merit
	for additional stormwater flow due to the development.	
Tasmania Parks and Wildlife Services	The documentation provided does not identify the Derwent River Marine Conservation Area adjacent to the proposed amendment, which is particularly relevant to the future development of the land as the Conservation Area is the receiving environment for stormwater and run-off. This should be taken into consideration in the 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 as part of the development will need to be assessed to determine if it is compatible with the management objectives of the Conservation Area,	

Representor	Submission Summary	Response on Merit
	and receive the appropriate authorisation.	
	It is unclear if the area subject to the Private Land Conservation Covenant (PLAC) has been considered in a land suitability assessment given its status.	A land suitability assessment has not been undertaken for the area affected by the covenant, as the proposed amendment is confined to land designated within the Future Urban Zone. Protection of the area subject to the covenant is facilitated through the expansion of the Priority Vegetation Overlay to encompass additional areas of threatened vegetation located beyond the covenant boundary; and existing provisions within the Landscape Conservation Zone and the Natural Assets Code. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
TasRail	TasRail have concerns regarding culvert capacity and condition. It is considered that in Catchment 1 the extended surface flow along the rail corridor increases the risk of water accumulation, erosion, and embankment exposure; whilst the culverts under the rail corridor in Catchments 2 and 3 are smaller than those under Boyer Road, creating a potential bottleneck.	The Boyer Road Precinct has been underpinned by a series of studies and assessments undertaken by the consultant engineer and ratified by council's engineering team that addressed stormwater management for the precinct. The level of detail provided was sufficient to inform the structure planning and master planning stages of the Boyer Road Precinct. More detailed studies will be undertaken in consultation with TasRail to inform the development of the precinct. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.

Representor	Submission Summary	Response on Merit
	It is recommended that a fully hydraulic and condition assessment of all culverts affected the rail corridor be required to ensure their adequacy under post-development flow conditions.	
	Catchment 1 does not appear to include dedicated detention or attenuation infrastructure. It is recommended that the stormwater strategy be revised to consider Catchment 1, ensuring adequate controls are in place to protect the rail corridor.	The Boyer Road Precinct has been underpinned by a series of studies and assessments undertaken by the consultant engineer and ratified by council's engineering team that addressed stormwater management for the precinct. The level of detail provided was sufficient to inform the structure planning and master planning stages of the Boyer Road Precinct. More detailed studies will be undertaken in consultation with TasRail to inform the development of the precinct. The representation does not raise any matters that warrant changes to the draft amendment and does not affect the draft amendment meeting the LPS criteria.
	Both natural features (swales, sediment ponds) and proprietary treatment devices (e.g. GPTs, filtration units) require regular maintenance to function effectively. Responsibility for the long-term ownership, operation, and maintenance of these assets must be	Noted. These discussions will occur once the developer of the precinct is known.

Representor	Submission Summary	Response on Merit
	clearly defined and whether this lies with the developer, Council, or another entity.	
	An updated Australian Level Crossing Assessment Model risk assessment should be undertaken for the Boyer Road level crossing and any existing pedestrian crossings, particularly where dedicated pedestrian or cycle paths are proposed	Noted. This will occur as part of a future development proposal, once the developer is known.
	TasRail follows an industry practice of not supporting new pedestrian crossings due to increased safety risks they present. This position is particularly relevant in areas where potential connections to the Derwent foreshore are being considered.	Comments noted.
	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.	

Representor	Submission Summary	Response on Merit
	It is understood that elements of the development may involve the use of Crown land adjacent to the rail corridor. 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. 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.	
TasWater	TasWater do not object to the draft amendment and does not require to be notified of nor attend any subsequent hearings.	

5. OTHER MATTERS

Outside of the formal amendment and representation process, ongoing communication with Heritage Tasmania has been undertaken in relation to the proposed amendment to the heritage listing for Genappe (50 Boyer Road, Bridgewater). This process is dealt with under the *Historic Cultural Heritage Act 1995* (s94) (1).

Table 2 outlines the feedback received from Heritage Tasmania, which included a request for clarification regarding the proposed boundaries of the future listing.

Table 2. Feedback Received from Heritage Tasmania

Feedback Summary	Response
The significance of hedgerows in the historic rural landscape is noted in the Historic Heritage Assessment, although it is noted that Hedgerow 3 will need to be removed, as will parts of the other hedges, to accommodate the proposed development. The Heritage Council have recently been under pressure from members of the public to protect these remnant landscape features which are impacted by development pressure, the identification of a fourth hedge at Genappe which will not be directly impacted by the proposed development represents an opportunity to preserve a small remnant of the historic landscape which we suggest should be pursued.	To ensure the long-term protection of Hedgerow 4, the proposed amendment to the heritage listing for Genappe has been expanded to include an additional 0.36 hectares of land (refer to Figure 2).

Figure 2. Additional Area to be Retained as part of Genappe Homestead Heritage Listing

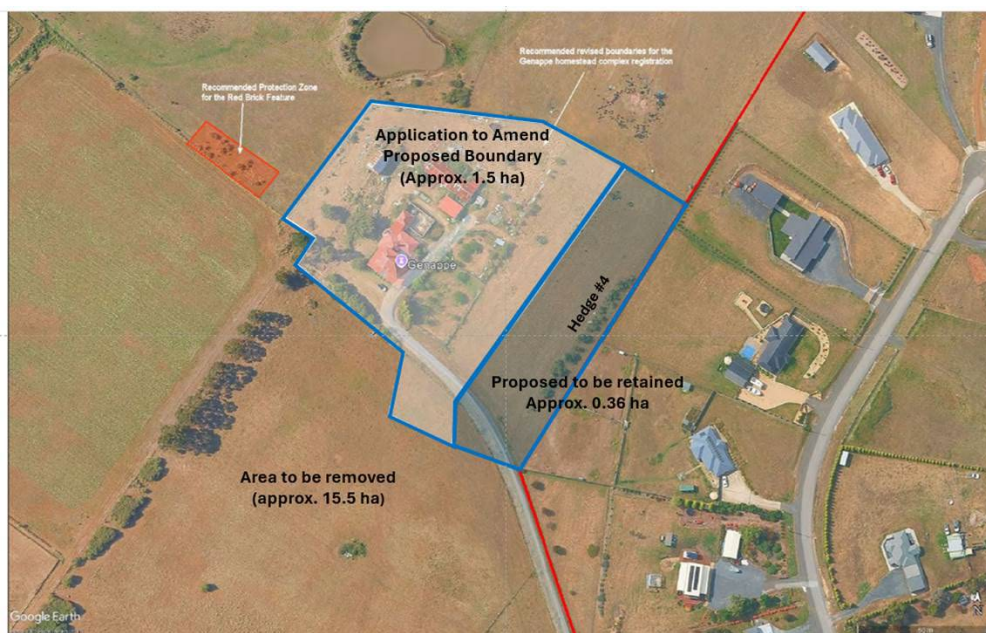


Figure 2. Aerial image showing the recommended amendment to the THR registered boundaries of the Genappe property and the Protection Zone for the Red Brick feature

6. MODIFICATIONS TO THE DRAFT PLANNING SCHEME AMENDMENT

The information in the representations raise one issue that requires modifications to the Specific Area Plan forming part of the draft planning scheme amendment.

This modification involves amendments to Clause BRI-S13.8.9 to allow for the consideration of double garages, as outlined below:

Clause BRI-S13.8.9 A2

A garage or carport must:

- (a) Have a single, single tandem, or double garage not more than 6.6m wide, accessed from the primary frontage; and*
- (b) be no greater than 50% of the width of the combined garage / carport and dwelling.*

An amended Specific Area Plan is provided as Attachment A.

7. CONCLUSION

The representations received raised one matter that warrants changes to the Specific Area Plan forming part of the draft planning scheme amendment. The changes to the Specific Area Plan are minor and will not affect the draft amendment meeting the LPS criteria.

On this basis, it is recommended that Council, pursuant to section 40K of the Act, provides to the Tasmania Planning Commission this report and the representations so the draft amendment can be determined accordingly.

8. OPTIONS

- a) To adopt the recommendation; or
- b) To adopt an alternative recommendation satisfying the provisions of Section 40K of the Act, with a full statement of reasons as determined by Council.

RECOMMENDATION:

That Council resolves that:

- a) Pursuant to section 40K (1) of the *Land Use Planning and Approvals Act 1993*, provide the Tasmanian Planning Commission with a copy of this report.
- b) Pursuant to section 40K (1) of the *Land Use Planning and Approvals Act 1993*, advise the Tasmanian Planning Commission that thirteen (13) representations were received during the exhibition of draft amendment RZ 2025-004 that related to the draft amendment.
- c) Pursuant to section 40K (2)(a) of the *Land Use Planning and Approvals Act 1993*, provide to the Tasmanian Planning Commission of copy of the representations that were received during the advertising of draft amendment RZ 2025-004.

- d) Pursuant to section 40K (2)(c) of the *Land Use Planning and Approvals Act 1993*, advise the Tasmanian Planning Commission that the representations received during advertising warrants one (1) modification to draft amendment RZ 2025-004 as detailed in this report and as provided as Attachment A.
- e) Pursuant to section 40K (2)(d) of the *Land Use Planning and Approvals Act 1993* advise the Tasmanian Planning Commission that the planning authority is satisfied that the draft amendment of the LPS meets the LPS criteria.

DECISION:

Cr Irons moved, Cr De La Torre seconded that the recommendation be adopted.

CARRIED

VOTING RECORD

In favour	Against
Cr Curran	Cr Owen
Cr De La Torre	
Cr Gray	
Cr Irons	
Cr Whelan	

Meeting closed: 6.15pm

Confirmed:

(Mayor)

Date:

16 September 2025
