

TASMANIAN PLANNING COMMISSION



DECISION

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| Planning scheme | Tasmanian Planning Scheme – Brighton |
| Amendment | RZ-2025-04 - rezone properties at Boyer Road and Cobbs Hill Road, Bridgewater and insert BRI-S13.0 Boyer Road Specific Area Plan |
| Planning authority | Brighton Council |
| Date of decision | 11 March 2026 |

Decision

The draft amendment is modified under section 40N(1)(b) of the *Land Use Planning and Approvals Act 1993* as set out in Annexure A and is approved under section 40Q.

Roger Howlett
Delegate (Chair)

Katrena Stephenson
Delegate

Alex Brownlie
Delegate

REASONS FOR DECISION

Background

Amendment

The draft amendment proposes:

- (a) to rezone the land at:
 - 50 Boyer Road, 170 Boyer Road, 182 Boyer Road and parts of 25 Cobbs Hill Road from Future Urban Zone to General Residential Zone
 - part of 31 Cobbs Hill Road from Future Urban Zone to Landscape Conservation Zone
- (b) to amend the priority vegetation area overlay on 31 Cobbs Hill Road and 25 Cobbs Hill Road
- (c) to amend the spatial application of the Local Heritage Place overlay at 50 Boyer Road
- (d) to insert the BRI-S13.0 Boyer Road Precinct Specific Area Plan over 50 Boyer Road, 170 Boyer Road, 182 Boyer Road, 25 Cobbs Hill Road, 29 Cobbs Hill Road and 31 Cobbs Hill Road, Bridgewater, and
- (e) insert the Local Area Objectives overlay on part of 50 Boyer Road, Bridgewater, as shown in Annexure 6.

Site information

The development precinct comprises six separate properties, with a combined area of 109ha. The Development Precinct is bound by Boyer Road to the south, Cobbs Hill Road to the north, rural living allotments situated along Serenity Drive to the east, and agricultural land to the west.

The site is zoned Future Urban and Landscape Conservation and is subject to Landslip Hazard, Bushfire-Prone Areas, Waterway and Coastal Protection Area-Natural Assets, Local Heritage Place and Electricity Transmission Infrastructure Protection Codes.

The site is located 800m west of Bridgewater township and interfaces with residential, educational, and agricultural land uses. The site's western boundary abuts land zoned for agriculture, being 194 Boyer Road and 232 Boyer Road.

These properties contain a dwelling used in association with grazing livestock and a small market garden enterprise. The site's northern boundary interfaces with land in the Rural Zone used for grazing livestock. The vegetated area of the northern part of the site provides a buffer between the SAP and the Future Urban zoned land.

To the east and south-east, the site adjoins land zoned the Rural Living Zone. This land is occupied by residential dwellings on approximately 5,000m² blocks fronting Serenity Drive. The site is sloping southwards, with slopes ranging from 5-20%. The northern sections of the site are characterised by an extensive native tree canopy.

Issues raised in representations

Thirteen representations were received during the public exhibition of the draft amendment.

The representors raised the following issues:

- the amendment would result in the semi-rural transition between urban Bridgewater and the surrounding countryside being eroded
- the draft amendment is contrary to the intent of the Rural Living Zone
- future use and development would cause a negative impact on the character of the area
- the proposed allotment sizes are too small
- traffic volumes and safety would be impacted
- local supporting infrastructure is inadequate
- the draft amendment plans do not show access for emergencies and evacuations
- there would be a negative impact on native vegetation and wildlife corridors
- changes to the Priority Vegetation overlay are not supported by the Council's Environmental and Sustainability Goals/Policies
- the draft amendment would set a precedent for further densification and residential expansion
- the draft amendment is contrary to long-term community values
- the amendment would result in an increase in crime
- the draft amendment is not supported by a detailed traffic impact assessment, a railway level crossing assessment, and a bushfire management plan
- incorrect landowner details are identified in the Agricultural Land Assessment Report
- the draft amendment is inconsistent with the supporting documentation
- lack of consultation with the community
- the amendment would result in negative health impacts caused by noise, density, and emotional stress
- there would be a negative impact on Aboriginal values and heritage
- the zone boundary alignment between the Landscape Conservation Zone and the General Residential Zone at 31 Cobbs Hills Road
- subdivision would be restricted by the Landscape Conservation Zone
- clause BRI-S13.8.9 (allowable garage sizes) should be modified
- clause BRI-S13.8.11 (room height) requires clarification
- the wording of clause BRI-S13.10.2 requires clarification
- whether the proposed housing can be serviced by public transport

- the location of Precinct D in the specific area plan
- potential increase in car dependency
- landslide risk and embankment constraints
- road design
- stormwater management
- private conservation covenants
- impact on natural values
- pedestrian safety, and
- use of Crown land adjacent to the rail corridor.

The draft amendment was referred to TasWater under section 56S of the *Water and Sewerage Industry Act 2008*. In response TasWater made a representation stating no objection to the draft amendment and that TasWater did not wish to attend any hearing.

Planning authority's response to the representations

The planning authority considered the representations and recommended:

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 A2 to allow for consideration of double garages, as shown 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 50% of the width of the combined garage/carport and dwelling.

Date and place of hearing.

The hearing was held at the Commission's office on Level 3, 144 Macquarie Street, Hobart on 16- 18 and 20 February 2026.

Appearances at the hearing

Planning authority: Brian White, Strategic Planner, Brighton Council
James Dryburgh, Chief Executive Officer, Brighton Council
Jo Blackwell, Manager Planning, Brighton Council
Alex Woodward, Director- Development Services, Brighton Council
Nitsan Taylor, Associate Director, Holmes Dyer

Leigh Wighton, Manager- Development Engineering, Brighton
Council

Consideration of the draft amendment

1. Under section 40M of the *Land Use Planning and Approvals Act 1993* (the Act), the Commission is required to consider the draft amendment to the Local Provisions Schedule (LPS) / LPS and the representations, statements and recommendations contained in the planning authority's section 40K report and any information obtained at a hearing.
2. A hearing was convened to assist the Commission consider the issues in the representations.
3. The Commission must also consider whether the draft amendment meets the LPS criteria as set out under section 34(2) of the Act:
 - (a) contains all the provisions that the SPPs specify must be contained in an LPS; and
 - (b) is in accordance with section 32; and
 - (c) furthers the objectives set out in Schedule 1; and
 - (d) is consistent with each State policy; and
 - (da) satisfies the relevant criteria in relation to the TPPs; and
 - (e) as far as practicable, is consistent with the regional land use strategy, if any, for the regional area in which is situated the land to which the relevant planning instrument relates; and
 - (f) has regard to the strategic plan, prepared under section 66 of the *Local Government Act 1993*, that applies in relation to the land to which the relevant planning instrument relates; and
 - (g) as far as practicable, is consistent with and co-ordinated with any LPSs that apply to municipal areas that are adjacent to the municipal area to which the relevant planning instrument relates; and
 - (h) has regard to the safety requirements set out in the standards prescribed under the *Gas Safety Act 2019*.

Specific Area Plan

4. Under section 32(4) of the Act, an LPS may only include a specific area plan if:
 - (a) a use or development to which the provision relates is of significant social, economic or environmental benefit to the State, a region or a municipal area; or
 - (b) the area of land has particular environmental, economic, social or spatial qualities that require provisions, that are unique to the area of land, to apply to the land in substitution for, or in addition to, or modification of, the provisions of the SPPs.

5. In response to the test under section 32(4) of the Act, the planning authority stated:

The proposed Boyer Road SAP is essential to address the unique spatial qualities and separate ownership of the six (6) parcels within the Development Precinct. The SAP will ensure that the required infrastructure and staging of the precinct occur in a coordinated manner, avoiding ad-hoc development and ensuring seamless integration.

The Boyer Road SAP provides a Development Framework that facilitates the development of the land into a comprehensive, practical, and people-focused residential community. This community will feature good connectivity, high levels of amenity, generous areas of public open space, and local opportunities that support the day-to-day needs of residents.
6. The planning authority noted that the Boyer Road Specific Area Plan (Boyer Road SAP) provides distinct precincts that support a range of residential densities and lot sizes, allowing the area to form an extension to the Bridgewater activity centre. Precinct D would provide for a small local centre and the Northern Christian School access to educational services.
7. The planning authority considered that the Boyer Road SAP would ensure that the site is developed in a coordinated manner. The development framework would provide for transport connectivity and public open space areas, while addressing the unique spatial qualities of the site. In addition, the Boyer Road SAP would allow the municipal area to achieve the desired residential development for a 15-year residential land supply.
8. Prior to the hearing, the Commission issued a direction to the planning authority requesting them to clarify how the draft amendment meets the test under section 32(4).
9. In their further submission, the planning authority provided a justification against the Section 32(4)(a) & (b) test. With respect to the test under section 32(4) (b), the planning authority noted that the site has unique qualities related to environmental sensitivity, Aboriginal heritage, fragmented ownership, bushfire risk and riparian corridors. These qualities require tailored provisions for subdivision, design, and infrastructure coordination.
10. In relation to the test under section 32(4)(a), the planning authority submitted that the draft amendment provides social benefit via the provision of approximately 388 new residential lots, affordable housing, mixed-use local centre and connected open spaces. In terms of economic benefit, the planning authority considered that the draft amendment supports local employment, stimulates retail/commercial demand, aligns with the Southern Tasmania Regional Land Use Strategy 2010-2035 (regional strategy) and State Housing Strategy. In terms of environmental benefit, the planning authority noted that the draft amendment will protect threatened vegetation, integrate water-sensitive urban design and bushfire management.
11. The planning authority concluded:

The Boyer Road SAP is essential to deliver a coordinated, high-quality residential community that addresses housing supply and diversity, protects environmental and cultural values, promotes a high quality and best practice street design and road layout, and integrates infrastructure delivery across multiple landowners.

The SAP provisions appropriately substitute, add to or modify the SPPs to respond to the site's unique qualities and achieve outcomes that cannot be delivered through standard zone provisions alone.

Commission consideration

12. The Commission acknowledges that the planning authority addressed both section 32(4) (a) and (b) in their supporting report and subsequent submissions. However, the Commission considers that the test under section 32(4)(b) is relevant to the draft amendment.
13. The Commission notes that the draft Boyer Road SAP would facilitate greenfield development and a diversity of residential densities with good connections to road transport networks within a close distance of the Bridgewater activity centre. The Commission considers that the organised development of lots, roads, public open spaces and reticulated infrastructure networks, while responding to prevailing site constraints, also justifies the unique provisions of the draft Boyer Road SAP.
14. The Commission finds that due to the existing site qualities, including slope, prevailing residential development pattern, Aboriginal heritage, separate property ownership, delivery of infrastructure requires unique provisions to address existing constraints, consistent with section 32(4)(b) of the Act.
15. The Commission is satisfied that the draft amendment meets the tests under sections 32(4) (b) of the Act.

Regional land use strategy

16. The relevant regional land use strategy is the Southern Tasmania Regional Land Use Strategy 2010-2035 (regional strategy). The planning authority considered that the draft amendment is consistent with the regional strategy.
17. In its report supporting the draft amendment (supporting report), the planning authority responded to the Biodiversity and Geodiversity policies (BNV 1, BNV 2, and BNV 5) of the regional strategy, submitting that the Natural Values Constraints report prepared by North Baker Ecosystem Services had informed the Master Plan layout via extension of the priority vegetation overlay. The planning authority noted that the report identified several threatened species on site, and the priority vegetation overlay would be extended accordingly.
18. With respect to the policies regarding water resources, the planning authority submitted that the development framework has adopted water-sensitive urban design provisions to manage stormwater at the site.

19. The planning authority also considered the draft amendment against the regional strategy's Managing Risks and Hazards policy, MRH 1, which seeks land use planning responses to manage risks and hazards.
20. The planning authority further submitted:

Nova Land Consulting has prepared a Bushfire Hazard Report recommending that all future dwellings should aim for a minimum BAL 19 separation. To ensure adequate protection, the Boyer Road Development Framework mandates a 20-metre-wide Hazard Management Area, which must be free of structures and maintain a non-continuous tree canopy. Additionally, the Development Framework identifies Precinct C as requiring specific bushfire management provisions, which includes the establishment of a hazard management area.
21. In response to the regional strategy's Cultural Values policies CV 1 and CV 2, the planning authority noted that an Aboriginal Heritage Assessment was prepared for the site. The assessment identified two Aboriginal heritage sites, an area of High Potential Archaeological Sensitivity (PAS), and a zone of Moderate Archaeological Sensitivity (MAS). These sites have been integrated into the public open space layout to ensure their protection.
22. The planning authority considered the draft amendment against the regional strategy's Recreation and Open Space policy, ROS 1, which aims to plan for an integrated open space and recreation system that responds to the existing and future needs of the community.
23. The planning authority submitted:

The Master Plan sets out a cohesive network of open spaces, connected by shared trails and roads to support active living, accessibility, and community well-being—aligned with Healthy by Design principles. Streetscapes will be enhanced with landscaping and tree planting to create a welcoming and attractive public realm.

It promotes a vibrant, mixed-use neighbourhood with convenient access to amenities, including Precinct D, envisioned as a lively town centre. Potential pedestrian and cycling links to Northern Christian School will improve connectivity and integration.

All homes will be within 400 metres of public open space, ensuring equitable access to areas for recreation and informal gatherings. These spaces will be linked by trails and roads and designed for passive surveillance to enhance safety.
24. The planning authority considered the draft amendment against the regional strategy's Social Infrastructure policies under SI 1 and SI 2, which seek land use planning responses that encourage the provision of high-quality social and community facilities. The planning authority considered that precinct D was designed as a small-town centre with a mix of residential, commercial, and retail uses, supported by the Development Framework and SAP. The Framework also ensures future pedestrian links to Northern Christian School.

25. In response to the regional strategy's Physical Infrastructure policies (PI 1 and PI 2), the planning authority noted that the draft amendment aims to provide for a more compact and sustainable urban form. The planning authority considered that the current larger rural residential lots are an inefficient use of land, given their proximity to the Brighton town centre and the future Brighton High School. The planning authority developed a 'Key Infrastructure Investment and Defined Infrastructure Charges' Policy which would allow the Council to determine an infrastructure charge for a range of different infrastructure. The planning authority concluded that the site would require the extension of physical infrastructure to support its future development despite being located within the urban growth boundary.
26. The planning authority further submitted that:
- A key driver for the proposed amendment is to address the urgent need for residential land in the Brighton region. The Brighton LGA is projected to deplete its shovel-ready land within 11 years, while the Bridgewater township is expected to reach land exhaustion in just 7 years. Best practice suggests that a 15-year supply of shovel-ready land is needed to maintain a sustainable housing market.
- The responsibility for delivering the necessary Council infrastructure (i.e., stormwater, Boyer Road intersections, roads etc.) is anticipated to fall on future applicants. Regarding TasWater and Tas Networks infrastructure, given the significant costs, this would likely be provided by those agencies, and head works charges (or similar) imposed on the developer at time of subdivision as per their respective policies.
27. The planning authority responded to the Settlement and Residential Development policies SRD 1 and SRD 2, submitting that the draft amendment would provide a sustainable and compact settlement that provides housing choice and affordability. The planning authority noted that the Brighton Council area has experienced the fastest population growth in the Southern Region and Greater Hobart since 2016. As of June 2023, the population reached 19,988, a 1.57% increase from the previous year.
28. The planning authority submitted that private dwelling demand in Southern Regional Tasmania (excluding Clarence and Kingborough) is projected to rise from 58,284 in 2021 to 74,202 by 2046. This growth-driven by population increases, smaller household sizes, and demand for non-permanent housing will require the provision of an average of 640 new dwellings annually
29. The planning authority further stated:
- The Development Precinct has been directly identified as a Greenfield Development Precinct (Bridgewater North) within the STRLUS, with its [sic] rezoning expected to unlock land capable of supporting ongoing population growth and subsequent dwelling demand.
- The Development Framework has been carefully structured to achieve a minimum residential density of 15 dwellings per hectare, in alignment with SRD 1.5. It has been designed to

foster a high level of residential amenity through the creation of an active, safe, and visually appealing urban environment. The framework also ensures a gradual and context-sensitive transition in residential densities, maintaining compatibility with the character of surrounding established areas while supporting the efficient use of land and infrastructure.

Within Precinct A, the framework facilitates higher-density subdivision to support the delivery of affordable housing and a diverse range of housing types, including medium-density typologies, with a minimum site area of 200m². Precinct B is intended to accommodate predominantly traditional allotments while still allowing for housing diversity, with a minimum site area of 400m². Precinct C provides for larger allotments, with a minimum site area of 800m², to ensure a suitable transition to adjacent zones, address site-specific constraints, and mitigate bushfire risk.

30. In response to the policies relating to Activity Centres, the planning authority submitted that a need for a local business centre in Bridgewater has been identified by 2041. While the draft amendment does not propose to rezone any areas to the Local Business Zone, the Development Framework supports future commercial and community uses in Precinct D, aligned with the intent of the Local Business Zone.
31. The planning authority further submitted that Precinct D, guided by the Plan Purpose BRI-S13.1.13, aims to create a mixed-use area offering commercial, retail, and community services for the local catchment. The precinct encourages non-residential development that enhances the public realm, supports medium-density housing, and promotes an attractive gateway with active street-level engagement and pedestrian connectivity.
32. The planning authority concluded:

Precinct D also contemplates a range of non-residential land uses, including a child health clinic, childcare centre, consulting rooms, food service premises (excluding drive-throughs), local shops, medical centres, places of worship, arts and craft centres, public halls, residential support services, veterinary surgeries, and a supermarket with a maximum floor area of 540m².

Commission consideration

33. The Commission is persuaded by the evidence provided by the planning authority. The Commission agrees with the planning authority that the draft amendment, in particular, is relevant and consistent with the policies regarding Settlement and Residential Development (SRD).
34. In relation to policies under SRD 1, the Commission finds that the draft amendment would provide for a sustainable and compact network of settlements within Greater Hobart, assisting in the supply of residential development in accordance with the relevant Growth Strategies, consistent with policy SRD 1.1. The Commission notes that the Development Framework

would provide for a minimum residential density of 15 dwellings per hectare, consistent with SRD 1.5.

35. In relation to the policies under SRD 2.3, the Commission notes that the site has been identified as a Greenfield Development Precinct (Bridgewater North). The Commission finds that the draft amendment would provide for a greater mix of residential dwelling types, which can accommodate demographic change, consistent with policy SRD 2.3.
36. With respect to other relevant policies, the Commission considers that the draft amendment is, as far as practicable, consistent with the relevant policies regarding Biodiversity and Geodiversity, Water Resources, Managing Risks and Hazards, Cultural Values, Recreation and Open Space, Social Infrastructure, Physical Infrastructure and Activity Centers. The Commission finds that the draft amendment is, as far as practicable, consistent with the regional strategy.

Suitability of the site

Boyer Road SAP and General Residential Zone

37. In its supporting report, the planning authority submitted that the proposed SAP and the General Residential Zone are suitable for the area. The planning authority noted that the draft amendment is necessary to apply to the land to address the projected housing demand in the Brighton municipal area and the site is a logical extension of the Bridgewater township.
38. The planning authority submitted:

Without the SAP controls, simply rezoning the land to General Residential would likely result in ad hoc development of the land and associated infrastructure. This approach would fail to achieve the desired residential yields necessary to ensure a 15-year shovel-ready land supply. It would also fall short in providing the required connectivity, high levels of amenity, and addressing the unique nature of the site, including the protection of vulnerable environmental species, interfaces with adjacent Agriculture and Rural land, and sites of Aboriginal heritage, in a holistic and sensitive manner.
39. The planning authority noted that specific planning controls are required to ensure that the development framework for the area can be implemented effectively. The planning authority submitted that both the SAP and associated Development Framework had been informed by various expert reports and provided for a well-connected and people-focused community with high residential amenity.
40. In relation to traffic management, the planning authority submitted that 3 new access points are proposed on Boyer Road to evenly distribute traffic from the development. No direct driveway access from individual properties to Boyer Road is planned. Peak hour traffic is expected to increase by approximately 240 vehicles per hour (about 4 vehicles per minute). Daily traffic volumes on Boyer Road are projected to rise from 3,500 to 7,100 vehicles over the next 10 years.

41. The Department of State Growth (DSG) submitted that the section from the first proposed junction near Serenity Drive to the westernmost proposed junction allows overtaking in both directions. The DSG requests the planning authority to consider whether the middle junction is required and noted that a detailed Traffic Impact Assessment would conform to these requirements.
42. Multiple representors also raised concerns that the current road infrastructure is not being designed to handle the increase in traffic volume and poses safety risks to the current and future residents on Boyer Road and Cobbs Hill Road.
43. The planning authority responded that the development does not lead to an increase in traffic on Cobbs Hill Road. The planning authority noted that the traffic impact assessment prepared for the request submitted that there is capacity within the road network to service additional traffic.
44. With respect to public transport, the planning authority noted that a new east–west road is proposed within the precinct that is designed to support a future public bus service. The road will be accessible via a network of well-connected footpaths and trails, promoting walkability and access to public transport.
45. The DSG, in their representation, raised concerns regarding the lack of public transport in the area and noted that currently there is no efficient public transport option to service the site.
46. The DSG further submitted:

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.

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.
47. The planning authority responded:

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 a 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 designed to accommodate a future bus route or stop within 400m of every allotment, should services become viable.

48. In relation to active transport, the planning authority noted that the plan includes a shared pedestrian and cyclist network integrated with the open space and road network. The planning authority submitted that the Bridgewater Waterfront Masterplan and Brighton Activity Centre Strategy both support improved active and public transport connections between the waterfront, growth areas, like Boyer Road, and the broader Greater Hobart region.
49. TasRail, in their representation, raised concerns regarding the culvert capacity and its condition. TasRail recommended that a hydraulic and condition assessment of the culverts be undertaken to ensure their adequacy under post-development flow conditions.
50. The planning authority responded that various studies have already been undertaken, and the studies are adequate for the master planning stage. The planning authority noted that more detailed studies, in consultation with TasRail, will be undertaken to inform more detailed development of the area.
51. With respect to natural hazards, the planning authority submitted that the northern part of the precinct contains woodland vegetation with grassy understory and eucalyptus trees, creating a bushfire-prone environment.
52. Representors submitted that the proposed SAP does not clearly demonstrate how evacuation and emergency access will be managed. The planning authority responded that the bushfire mitigation measures have been included in the SAP in clause BRI-S13.10.6, requiring a 20m wide Hazard Management Zone along the boundary of the Landscape Conservation and General Residential Zones. The planning authority further noted that Figure BRI-S13.16 shows a potential fire trail link providing emergency access through the open space network.
53. With regards to the Aboriginal cultural heritage, the planning authority submitted that the site includes two sites. The site (AH8815) has a medium scientific/aesthetic value and high social significance. The site (AH11483) has a medium scientific significance and moderate-high social significance.
54. Representors raised concerns that the site holds significant Aboriginal cultural values and artefacts, and the draft amendment could cause detriment to these values and artefacts. The representors also noted that limited ground visibility during field surveys, the items of cultural significance may not have been uncovered.

55. The planning authority responded that all Aboriginal heritage sites and sensitive zones will be incorporated into public open space to avoid disturbance. The SAP includes provisions requiring subdivision layouts to follow spatial guidance for heritage protection. The planning authority acknowledged that the full extent of Aboriginal Heritage cannot be confirmed with certainty.
56. The planning authority submitted:
- In the event that previously unidentified sites or objects are discovered during development, the procedure outlined in the Unanticipated Discovery Plan by Aboriginal Heritage Tasmania must be followed, in accordance with *the Aboriginal Heritage Act 1974* and *Coroners Act 1995*.

Precinct D

57. The planning authority noted that a small commercial centre development is envisaged within Precinct D of the Development Precinct to provide for local commercial services to the area.
58. The Plan Purpose for the Precinct D is:
- BRI-S13.1.13
- In Precinct D, in accordance with the Precinct D Concept Plan, to provide:
- (a) A mixed-use precinct that offers a mix of commercial, retail and community use to service the local catchment
 - (b) Non-residential development that contributes positively to the public realm and maintains residential amenity
 - (c) Medium density housing that does not preclude the desired mixed use of the precinct
 - (d) A visually interesting gateway to the Boyer Road Specific Area Plan with a built environment that responds positively to the public realm, and
 - (e) Opportunities for pedestrian connectivity with active frontages.

59. The planning authority submitted:
- Precinct D is a key element within the Development Precinct, strategically planned to accommodate future growth and respond to the evolving needs of the Boyer Road Growth Area. Its primary role is to establish a vibrant, mixed-use precinct that brings together residential, commercial, retail, and community functions. This integrated land use approach will support increased housing density and provide a diverse range of housing options, including affordable dwellings, to meet the demands of a growing population.

Priority Vegetation Overlay and the Landscape Conservation Zone

60. The planning authority noted that the Natural Values Constraints report identified that the majority of vegetated areas on the northern side of the site are identified as priority vegetation areas. The area is also partially covered by a Conservation Covenant. The communities include two non-listed vegetation types - *Eucalyptus amygdalina* forest on mudstone (DAM) and *Bursaria-Acacia* woodland and scrub (NBA) within the southernmost portion of 31 Cobbs Hill Road, which is currently zoned Future Urban.
61. The planning authority concluded:
- To protect these vegetation communities, this portion of land will be rezoned to Landscape Conservation, ensuring their protection, conservation, and management.
- The assessment also identified an area of threatened species *Eucalyptus globulus* dry forest and woodland (DGL) that extends beyond the Landscape Conservation Zone and covenant into the area currently zoned Future Urban; and an area of *Eucalyptus amygdalina* forest on mudstone (DAM) within the Landscape Conservation Zone that currently sits outside the priority vegetation area of the Natural Assets Code.
- It is proposed to extend the priority vegetation area mapping to cover these areas of DGL and DAM in order to ensure their protection into the future.

Local Historic Heritage Code

62. With respect to the European heritage, the planning authority noted that the Genappe Homestead is permanently listed on the Tasmanian Heritage Register and is subject to the Local Heritage Place Overlay. The planning authority further noted that the code doesn't apply to the use or development of the site
63. The State listing includes a Georgian-style two-storey brick farmhouse, outbuildings, sheds, and garden plantings within a 1ha curtilage. Currently, the State listing covers the whole title at 50 Boyer Road.
64. The draft amendment is proposing to reduce the curtilage to 1.5ha around the homestead to reflect its core heritage significance and maintain open space buffers and view corridors to preserve visual prominence.
65. In their submission prior to the hearing, the planning authority submitted:
- Outside of the draft scheme amendment process under LUPAA which is to amend the local heritage listing, we are also seeking to amend the state listing under the *Historic Cultural Heritage Act 1995* (s94(1)). THC officers have thus far given their conditional support to amending the State register but are waiting until the scheme amendment process is complete before actioning the change.
- The existing heritage protection afforded under the *Historic Cultural Heritage Act 1995* will therefore remain for the whole of the heritage place even if the local listing is amended. It is noted the heritage code doesn't apply for development of a local heritage place where it is also on the state register.

66. Prior to the hearing, the Commission directed the Tasmanian Heritage Council (THC) to provide a submission on their view of the proposed amendment to the Genappe Homestead.

67. The THC submitted:

The application was discussed by officers from Heritage Tasmania and Brighton Council, a mutually acceptable proposed boundary has been agreed upon. To the best of my understanding, this proposed boundary meets the Heritage Council's expectations set out in the published Works Guidelines and Heritage Council policy on Amending and Replacing Entries in the Tasmanian Heritage Register. It should be noted however, that it is the Heritage Council, or delegate of, who will ultimately make determination relating to this application.

Urban Rural Interface SAP

68. Urban Rural Interface Specific Area Plan (Urban Rural Interface SAP) is adjoining the site. The Plan Purpose for the Urban Rural Interface SAP states:

BRI-S8.1 Plan Purpose

The purpose of the Urban-Rural Interface Specific Area Plan is:

BRI-S8.1.1 To provide for higher density rural living closer to settlements and urban fringe areas, with greater service provision and fewer environmental constraints.

69. Various representors raised concerns about the draft amendment's negative impact on the character of the surrounding area. The representors noted the draft amendment would have a detrimental impact on long term community values, and the draft amendment would result in the semi-rural transition between urban Bridgewater and the surrounding countryside being eroded. The representors were also concerned that the draft amendment would have a negative impact on the health and well-being of the surrounding residents.

70. The planning authority responded that the precinct is the final Greenfield Development Precinct and has been earmarked for future development. The planning authority considered that the proposed rezoning and SAP support the delivery of a high-quality residential estate and the provision of diverse housing options. The application of the Future Urban Zone to the adjoining land already includes a consideration of the suitability of the site and the adjoining land uses and constraints. The planning authority further noted that the proposed development framework, precinct structure plan and the Boyer Road SAP already consider the treatment of the SAP's interface in detail.

71. At the hearing, the planning authority noted that the site was zoned Future Urban prior to the application of the Urban Rural Interface SAP to the adjoining land. Therefore, there was an expectation that the site would be developed for residential purposes before the application of the Urban Rural Interface SAP.

Commission consideration

Boyer Road SAP and General Residential Zone

72. The Commission acknowledges that the proposed development is significant, and its assessment will require consideration of a variety of site-specific matters. However, the Commission agrees with the planning authority that the Boyer Road SAP would provide a coordinated and holistic planning response to the existing site constraints.
73. In relation to the suitability of the site for the General Residential Zone and the Boyer Road SAP, the Commission agrees with the planning authority that the site is suitable for residential development. The Commission notes that the General Residential Zone Purpose Statements include providing for development where full infrastructure services are available or can be provided, and that is connected to the transport network. The site is not severely constrained by any natural hazards or other restrictive development overlays.
74. In relation to the TasRail representation regarding stormwater management, the Commission agrees that it is unclear how stormwater would be managed and what implications that management may have on the railway culvert. However, the Commission notes that clause BRI-S13.6.3 Stormwater requires the planning authority to have regard to advice from the rail authority and considers that the matter can be effectively managed at a later stage of the process.
75. With regard to the DSG representation, the Commission agrees with the planning authority that the draft amendment provides a long-term strategic approach towards the development of the area and does not exclude establishing public transport connections at a later stage of the process.

Landscape Conservation Zone

76. The Commission considers that the rezoning of the southernmost portion of 31 Cobbs Hill Road to Landscape Conservation to protect *Eucalyptus amygdalina* forest on mudstone (DAM) and *Bursaria-Acacia* woodland and scrub (NBA) vegetation types on site is an appropriate response to the site's characteristics and prevailing environmental values.

Precinct D

77. In relation to Precinct D, the Commission accepts the submission of the planning authority that there is merit in applying mixed-use development standards in the southwestern corner of the site. However, the Commission considers that the standards of the Precinct D correspond with the standards of the Local Business Zone. Also, the principle of the SPPs is that the zone should always be the primary land use instrument. To clarify the drafting of the SAP and align it with the state planning system's principles of using zoning as the main land use instrument, the Commission considers that it is appropriate to rezone the area to Local Business. The Commission considers that the application of the Local Business Zone will achieve the same planning outcome as the proposed Precinct D. As Precinct D will be removed from the SAP, the proposed Local Area Objectives (LAOs) will also be removed.

Priority Vegetation Overlay

78. The Commission is persuaded by the evidence presented by the planning authority regarding rezoning the southern part of 31 Cobbs Hill Road to Landscape Conservation and the amendment to the priority vegetation overlay as recommended by the Natural Values Constraints report.

Local Historic Heritage Code

79. With respect to the amendment to the Local Historic Heritage Code regarding Genappe Homestead, the Commission notes that it has not received any evidence to amend the overlay. Subsequently, the Commission will not agree to amend the overlay. The Genappe Homestead is listed in the Tasmanian Heritage Register, and any amendment to the listing will require heritage approval under the *Historic Cultural Heritage Act 1995*, irrespective of the requirements under the Local Historic Heritage Code. The Commission notes that the amendment to the Local Historic Heritage Code would be irrelevant to the site's heritage protection, and the decision to amend the listing is with THC.

Urban Rural Interface SAP

80. In relation to the Urban Rural Interface SAP, the Commission notes that the Future Urban Zone was applied to the site prior to the application of the Urban Rural Interface SAP. Therefore, it is considered that there has been an assumption that the site will be developed for residential purposes. In addition, the proposed open space buffer between the sites will improve the potentially negative amenity effects of the proposed SAP.
81. The Commission concludes that the Boyer Road SAP would allow for residential greenfield development of an underutilised site that can be connected to infrastructure services. The site is located close to the Brighton activity centre and is well connected to the surrounding transport network.

Local Strategies

Brighton Structure Plan 2018

82. The planning authority submitted that the Brighton Structure Plan 2018 (BSP) establishes a strategic framework to guide major changes to land use, built form, and public spaces within the Brighton area. The structure plan outlines a series of economic, social, and environmental objectives intended to inform future development.
83. The planning authority noted that within the structure plan, the development precinct is identified as Site 16: Boyer Road, Bridgewater and is considered under Strategy 1: Review of the Urban Growth Boundary as one of the only potential growth directions for Bridgewater, together with Site 2: Serenity Drive. However, the planning authority noted that Site 16 was not included in the structure plan's recommended actions. The planning authority submitted that the structure plan instead advised retaining the site's current Future Urban zoning due to its isolation from existing residentially zoned land. As a result, development of the precinct for urban purposes was considered premature and reliant on the prior development of adjoining land to the east for similar residential use.

84. The planning authority considered that since the Brighton Structure Plan 2018 was prepared, Brighton Council has progressed the rezoning and master planning of part of Site 2 (Serenity Drive) through the endorsed Sorell Street Masterplan.
85. The planning authority further notes that Brighton continues to experience the highest proportional population growth in the Southern Region and Greater Hobart. As of 30 June 2023, the population reached approximately 19,988 residents, with projections indicating an additional 7,070 residents by 2053. Concurrently, Tasmania is facing a severe housing crisis, and the Brighton municipal area is projected to encounter land supply shortages within the next decade, with land exhaustion expected in 11 years for the municipal area and 7 years for Bridgewater.

Bridgewater Waterfront Masterplan

86. The planning authority submitted that the Bridgewater Waterfront Masterplan is a strategic document prepared by the Brighton Council to guide the revitalisation of the Bridgewater waterfront area, developed in response to the significant transformational changes arising from the construction of the new Bridgewater Bridge. The planning authority noted that the masterplan does primarily focus on the Bridgewater waterfront; its strategic implications extend to the subject site.
87. The planning authority stated:

The masterplan proposes the renewal of Old Main Road into a vibrant mixed-use centre, supported by improved active and public transport connections to the revitalised waterfront, nearby growth areas (such as the Sorell Street project area), the Brighton Hub, and the Greater Hobart Region. A key factor in realising the vision of the masterplan—and attracting both public and private investment—will be the creation of sufficient retail and commercial demand, driven by population growth within the local catchment. The rezoning of the subject site will contribute to this demand and support the future vibrancy of the centre, consistent with the objectives identified in the Brighton Activity Centre Strategy.

Brighton Open Space Strategy

88. The planning authority noted that the Brighton Open Space Strategy 2025, endorsed by Council in June 2025, provides for a 10-year plan for parks and reserves within the municipal area. The Open Space Strategy details priority actions to develop high-quality, accessible, and sustainable open space networks across the municipal area.
89. The planning authority submitted that the growth in Bridgewater is planned for the area west of the Midland Highway along Boyer Road, including the Development Precinct. Therefore, open space within this precinct is a key consideration, with opportunities to connect to the River Derwent foreshore, which has been made accessible by the Bridgewater Bridge Project, and has been master planned pursuant to the Bridgewater Waterfront Masterplan.
90. The planning authority stated:

The Brighton Open Space Strategy has identified a range of key opportunities and challenges specific to the Development Precinct. The planning and development of the growth area along Boyer Road presents opportunities for strategic open space acquisition and development. Additionally, the Open Space Strategy identified that if land along Cobbs Hill Road is rezoned and subdivided for urban purposes, connectivity to the Brighton Hub along Ashburton Creek could be provided to improve walkability, access, and encourage passive recreation opportunities. There is limited open space provision within the vicinity of the Development Precinct, except for Dromedary Walk which is immediately adjacent along the banks of the River Derwent. The preferred development outcome, as outlined in the Precinct Structure Plan, designates 30.8% (16.85ha) of the Development Precinct for open space.

Boyer Road Precinct Structure Plan

91. The planning authority submitted that the Brighton Activity Centre Strategy provides a framework to guide the development and management of Brighton's activity centres up to 2046. The suburb of Bridgewater plays a regional servicing role, contributing to areas beyond the municipality and playing a crucial role in the wider Southern Tasmania region. The planning authority notes that the strategy recognises a need for a local grocer followed by a half-line supermarket within Bridgewater in 2041 and 2046.
92. The planning authority noted that the strategy provides an implementation recommendation for the development precinct to enable the delivery of a local grocer by 2041 via an application of the Local Business Zone.
93. The planning authority further submitted:

As the Development Precinct is under six separate ownerships, and has not undergone site consolidation, it is considered premature to directly identify the exact location of the future activity centre and seek for its rezoning to LBZ. Whilst the Planning Scheme Amendment does not consider the rezoning of a portion of the Development Precinct to LBZ, the Development Framework has been developed to incorporate envisaged land uses and development standards which are reflective of the LBZ.
94. The small commercial centre development is envisaged within Precinct D of the Development Precinct.
95. The Plan Purpose for Precinct D is:

BRI-S13.1.13

In Precinct D, in accordance with the Precinct D Concept Plan, to provide:

 - (a) A mixed-use precinct that offers a mix of commercial, retail and community uses to service the local catchment

- (b) Non-residential development that contributes positively to the public realm and maintains residential amenity
- (c) Medium density housing that does not preclude the desired mixed use of the precinct
- (d) A visually interesting gateway to the Boyer Road Specific Area Plan with a built environment that responds positively to the public realm
- (e) Opportunities for pedestrian connectivity with active frontages

Commission consideration

- 96. The Commission acknowledges that the above strategies had informed the construction of the draft amendment and the Boyer Road SAP.
- 97. The Commission finds that this is consistent with the principles of sound strategic planning.
- 98. The Commission is satisfied that the draft amendment aligns with the principles of the relevant local strategies.

State Policies

State Policy on Water Quality Management 1997

- 99. The planning authority submitted that the draft amendment is consistent with the above State Policy and the impact on water quality will be regulated via development applications.

State Coastal Policy 1996

- 100. The planning authority submitted:

The State Coastal Policy 1996 applies to land within 1km of the high-water mark. While the Development Precinct is situated near the Derwent River, with a portion of it directly adjacent to the site classified as coastline on ListMaps, the Development Precinct is characterised by significant slope and is not susceptible to flooding, with no future development to occur within a prescribed coastal area. Furthermore, the SAP has strict provisions regarding the future management of stormwater before it is discharged into the coastal environment, with applicants to be required to demonstrate how a subdivision within the Precinct incorporates water sensitive urban design (WSUD) principles to manage stormwater.

State Policy on the Protection of Agricultural Land 2009

- 101. The planning authority submitted that the Agricultural Assessment provided for the site demonstrated that the draft amendment is consistent with the State Policy on the Protection of Agricultural Land 2009.
- 102. The planning authority stated:

An agricultural assessment conducted for the Development Precinct indicates that the land within the Precinct has 'low' to 'very low' land capabilities due to low rainfall and lack of access to irrigation, severely limiting the scope of agricultural activities. It is noted that no prime agricultural land is located within 1km of the Precinct. Therefore, the proposed amendment can facilitate the development of residential land without resulting in the loss of prime agricultural land or jeopardising the use of surrounding land for agricultural purposes.

National Environmental Protection Measures 1999

103. The planning authority submitted that the proposed draft amendment does not trigger any considerations under the National Environmental Protection Measures 1999.

Commission consideration

104. The Commission finds that the draft amendment is consistent with the above State Policies.

Schedule 1 Objectives

105. The planning authority considered that the draft amendment is consistent with the Objectives of Schedule 1.
106. With respect to Part 1 (a), the planning authority submitted that the layout of the development framework and the zone applications promote sustainable development and maintenance of ecological processes.
107. In relation to Part 1(b), the planning authority stated:

The amendment seeks to implement the recommendations of the STRLUS and achieve the objectives set out in the Brighton Structure Plan 2018 (BSP). Since the BSP was prepared, the Brighton LGA has undergone several significant planning initiatives. Coupled with Tasmania's current housing crisis and the anticipated shortage of shovel-ready land, these factors underscore the need for the proposed rezoning of the Precinct.

The Master Plan has been developed to support the fair, orderly, and sustainable development of the area. It carefully considers the site's physical characteristics, including areas of steep terrain, riparian corridors, and areas of native vegetation. The Specific Area Plan includes tailored provisions to guide appropriate development, ensuring the protection and management of natural assets whilst fostering a high-amenity residential environment.

108. Regarding Part 2(c)(d), the planning authority submitted that the Master Plan prioritises conservation by rezoning bushland and threatened vegetation to Landscape Conservation, extending overlays, and adjusting roads to protect swift parrot habitat. SAP provisions require large lots and connected open spaces to maintain wildlife corridors.

109. The planning authority further noted that the proposal aligns with State and local strategies. The precinct is identified as a growth area in STRLUS and noted in the Brighton Structure Plan. Brighton's rapid growth and land supply are projected to run out in 7–11 years; the draft amendment is urgent and supported by Federal funding.

Commission consideration

110. The Commission agrees with the planning authority that the draft amendment is consistent with the relevant state policies and considers that the draft amendment furthers the Objectives of Schedule 1 of the Act.

Modifications required to draft amendment

111. Under section 40M of the Act the Commission must consider whether modifications to a draft amendment of an LPS ought to be made.

112. The draft amendment is modified by rezoning a part of 50 Boyer Road to Local Business.

113. The draft amendment is modified by refusing to amend the Local Historic Heritage Code.

114. The Boyer Road SAP draft amendment is modified by:

- removing Precinct D; and
- the Local Area Objectives.

115. The drafting of the proposed SAP was extensively discussed with the planning authority at the hearing. As a result, modifications are made to the drafting of the proposed SAP to better achieve its intended purpose and improve and clarify of its operation.

116. Various technical modifications were also made to the proposed SAP to provide greater consistency with Tasmanian Planning Scheme drafting and formatting conventions as outlined in the Commission's Practice Notes 5 and 8.

Decision on draft amendment

117. Subject to the modifications described above, the Commission is satisfied that the draft amendment meets the LPS criteria and gives its approval.

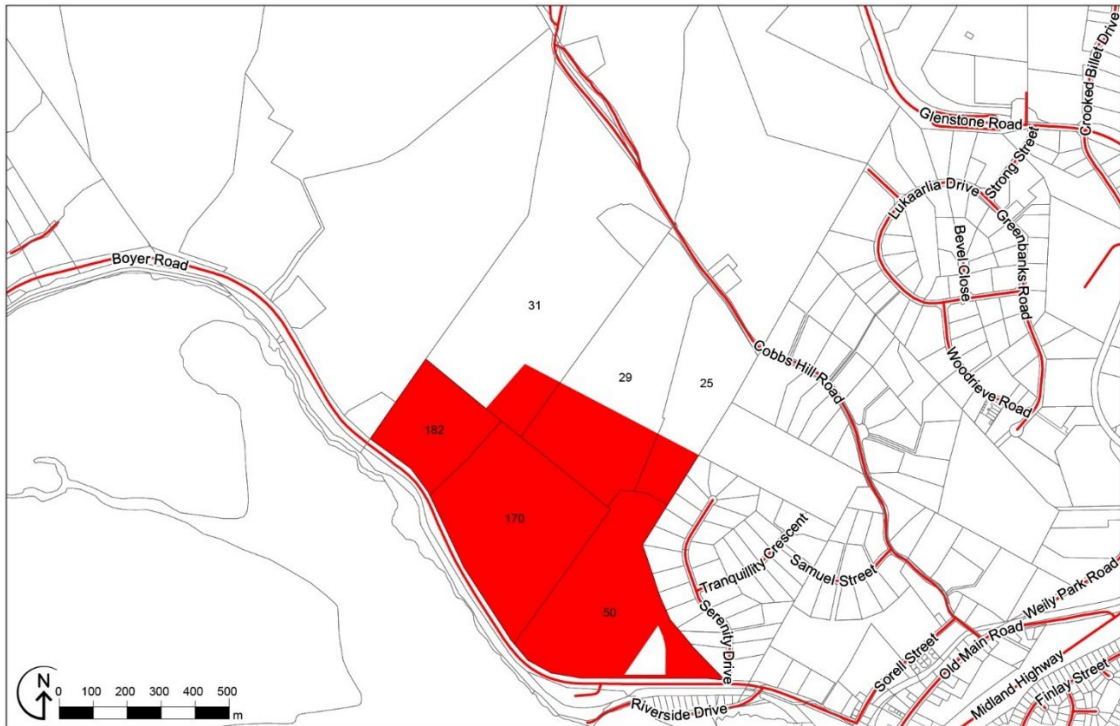
Attachments

Annexure A – Modified amendment RZ-2025-04

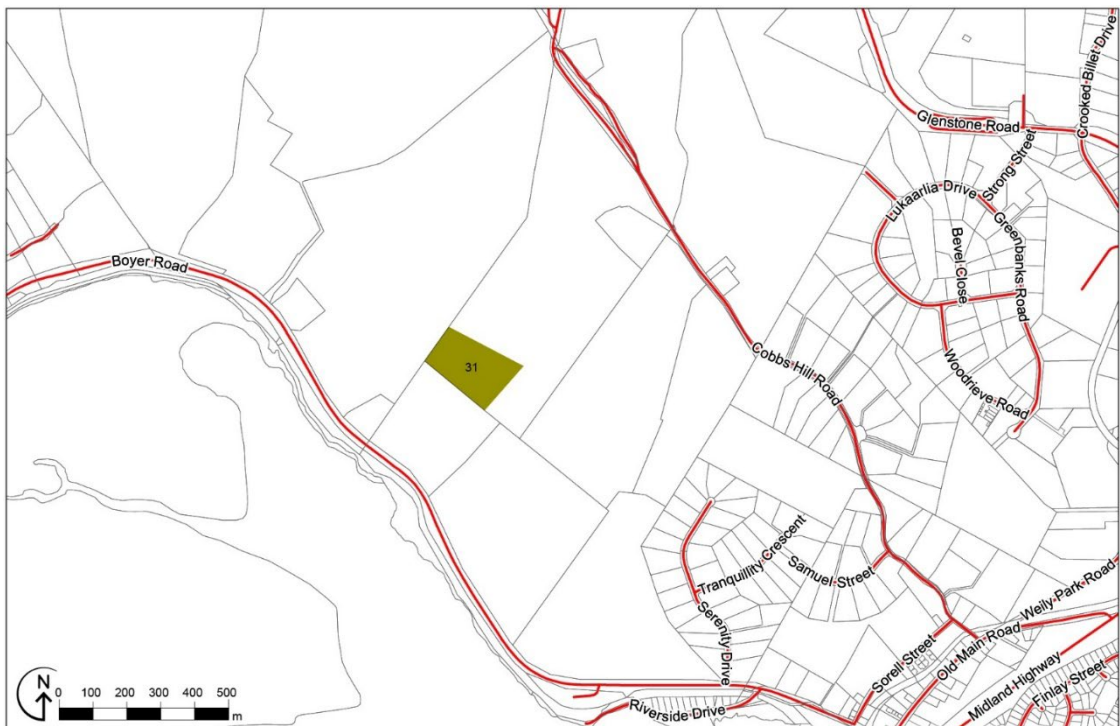
Annexure A

Modified amendment RZ 2022-05 - Tasmanian Planning Scheme - Brighton

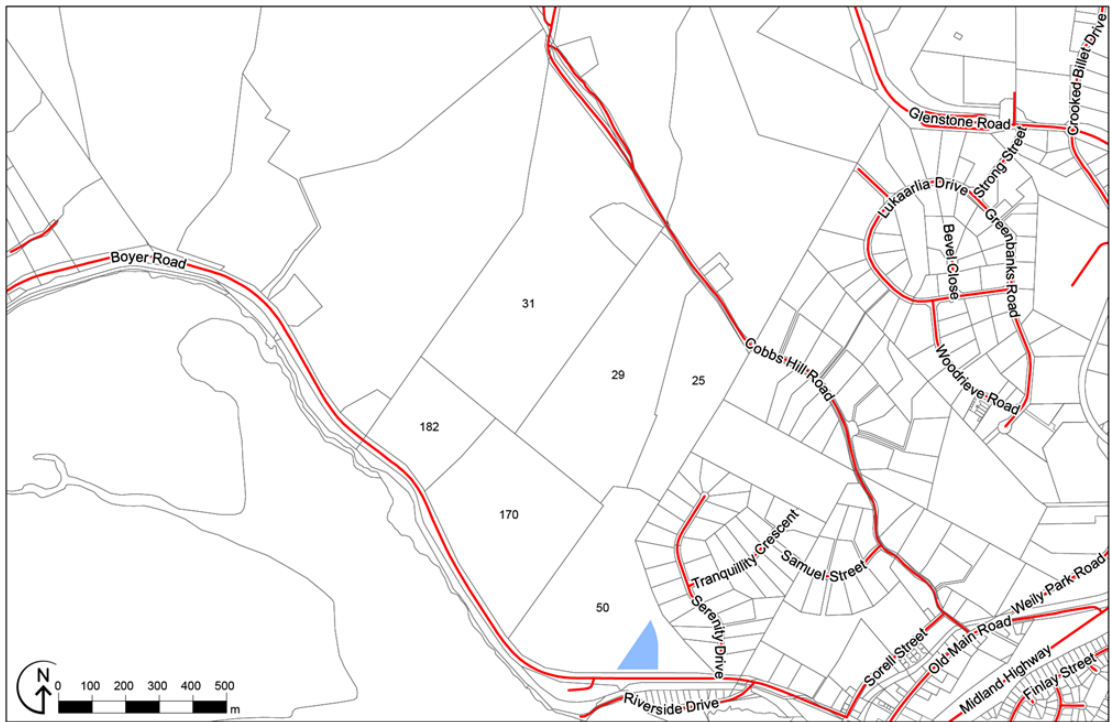
1. Rezone 50 Boyer Road, 170 Boyer Road, 182 Boyer Road and parts of 25 Cobbs Hill Road, 29 Cobbs Hill Road and 31 Cobbs Hill Road and the adjacent road reserves to the General Residential Zone, as shown below.



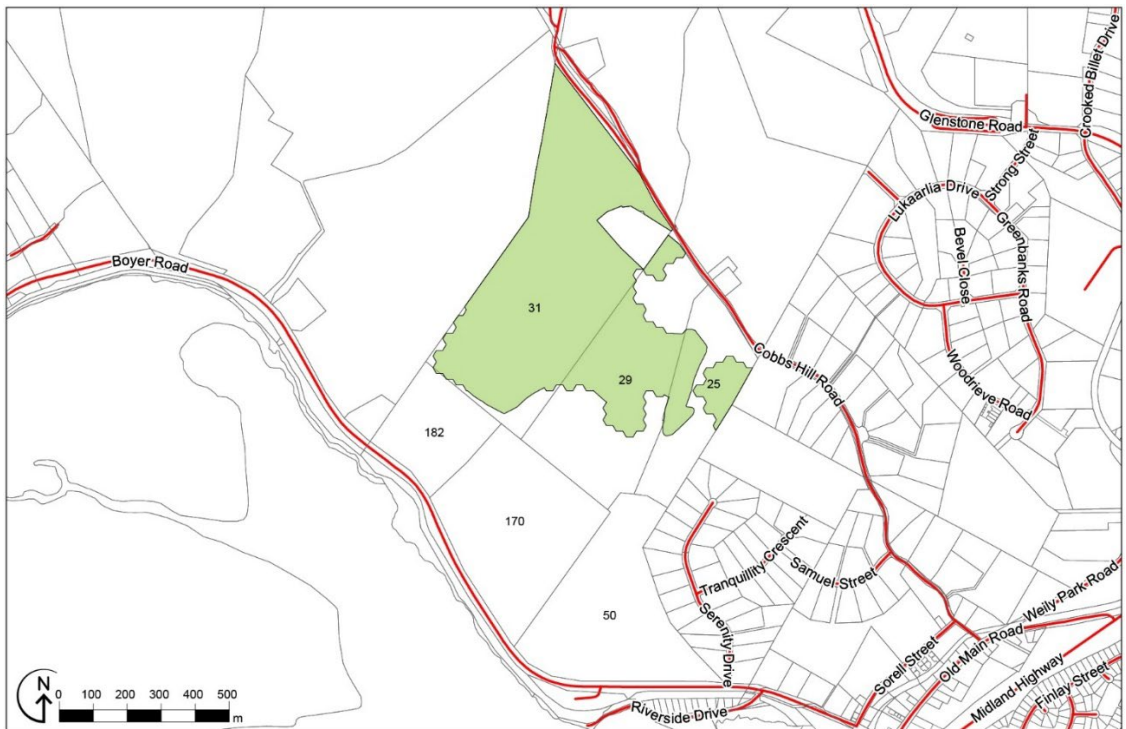
2. Rezone part of 31 Cobbs Hill Road to the Landscape Conservation Zone, as shown below.



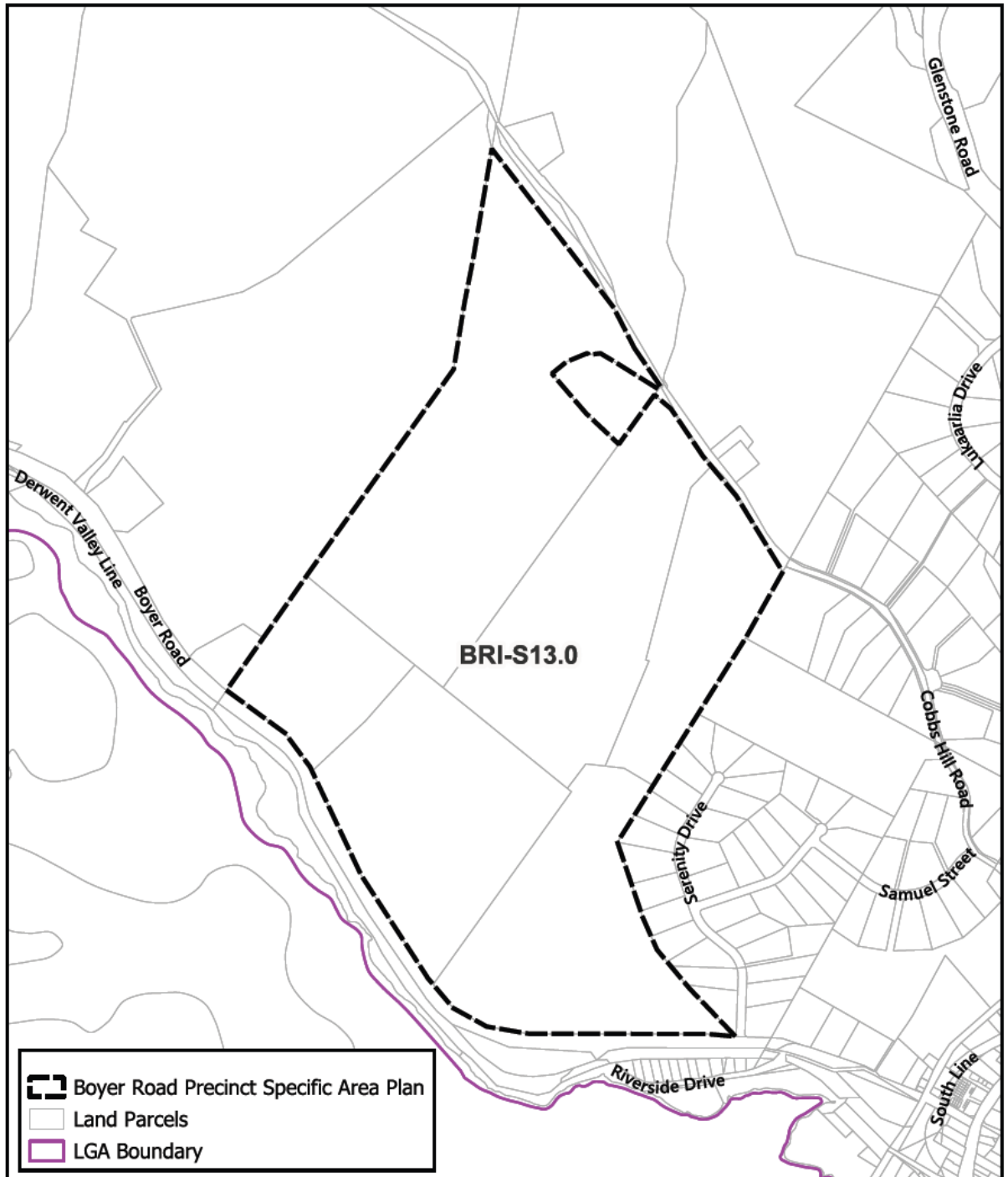
3. Rezone part of 50 Boyer Road to the Local Business Zone, as shown below.



4. Amend the priority vegetation overlay on 31 and 29 Cobbs Hill Road, as shown below.



5. Insert the overlay for BRI-S13.0 Boyer Road Specific Area Plan, as shown below.



6. Insert BRI-S13.0 Boyer Road Specific Area Plan into the Brighton LPS written document as shown below:

BRI-S13.0 Boyer Road Specific Area Plan

BRI-S13.1 Plan Purpose

The purpose of the Boyer Road Specific Area Plan is:

| | |
|-------------|---|
| BRI-S13.1.1 | To implement the Boyer Road Development Framework. |
| BRI-S13.1.2 | To provide for a diversity of lot sizes and residential densities. |
| BRI-S13.1.3 | To provide for a central neighbourhood park and linear open space network in accordance with the Development Framework. |
| BRI-S13.1.4 | To facilitate future development potential in an orderly manner. |
| BRI-S13.1.5 | To coordinate infrastructure delivery and connectivity between allotments. |
| BRI-S13.1.6 | To provide high level of residential amenity. |
| BRI-S13.1.7 | In Precinct A, to facilitate higher density residential development. |

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: (a) 8.00 the General Residential Zone, as specified in the relevant provision. |

BRI-S13.3 Local Area Objectives

This clause is not used in this specific area plan.

BRI-S13.4 Definition of Terms

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

| Terms | Definition |
|------------------------------|---|
| Development Framework | Means the area of land shown Figure in BRI-S13.2. |
| Precinct A | Means the area of land shown in Figure BRI-S13.3 as Precinct A. |
| Precinct B | Means the area of land shown in Figure BRI-S13.3 as Precinct B. |
| Precinct C | Means the area of land shown in Figure BRI-S13.3 as Precinct C. |
| Stormwater Management Report | Means a report prepared by a suitably qualified person that: <ul style="list-style-type: none"> (a) details the stormwater management design and implementation for the catchment, including the capture, treatment and management of stormwater runoff prior to discharge to the legal point of discharge; and (b) is prepared having regard to the <i>Tasmanian Stormwater Policy Guidance and Standards for Development</i>. |

BRI-S13.5 Use Table

This clause is not used in this specific area plan.

BRI-S13.6 Use Standards

This clause is not used in this specific area plan.

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 Buildings and works must: <ul style="list-style-type: none"> (a) be for an addition to an existing dwelling; | P1 Buildings and works must not preclude or hinder the effective and efficient implementation of the Development Framework, having regard to: | |

| | |
|---|---|
| <p>(b) be of a temporary nature able to be removed prior to the development of the land; or</p> <p>(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> | <p>(a) the topography of the site;</p> <p>(b) any existing access arrangements;</p> <p>(c) location of any services; and</p> <p>(d) the purpose, location and extent of any building and works.</p> |
|---|---|

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: | That multiple dwellings: <ul style="list-style-type: none"> (a) provide for a variety of densities; and (b) are compatible with the efficient utilisation of land and infrastructure. |
|--|--|
| 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; and (c) 800m² for Precinct C. | <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 provide for a variety of densities, and having regard to:</p> <ul style="list-style-type: none"> (a) compatibility with the density of existing development on established properties in the area; (b) the site being within 400m walking distance of a shop, medical centre, community centre or a public transport stop; (c) consistency with the Development Framework; and (d) if in Precinct C, the site area per dwelling is not less than 700m² and the development can manage site constraints. |

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.

| <p>Objective:</p> | <p>That the siting and scale of dwellings:</p> <ul style="list-style-type: none"> (a) provides consistent separation between dwellings and their frontage within a street; (b) provides consistency in the apparent scale, bulk, massing and proportion of dwellings; and (c) provides separation between dwellings on adjoining properties to allow a reasonable opportunity for daylight and sunlight to enter habitable rooms and private open space. |
|---|---|
| <p>Acceptable Solutions</p> | <p>Performance Criteria</p> |
| <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 equivalent frontage of the dwellings on the adjoining sites on the same street; or (d) if located above a non-residential use at ground floor level, | <p>P1</p> <ul style="list-style-type: none"> (a) A dwelling must have a setback from a frontage that is compatible with the streetscape having regard to any topographical constraints. |

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| <p>not less than the setback from the frontage of the ground floor level.</p> | |
| <p>A2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage of not less than:</p> <ul style="list-style-type: none"> (a) 4m, or alternatively 1m behind the building line; (b) the same as the building line, if a portion of the dwelling gross floor area is located above the garage or carport; or (c) 1m, if the existing ground level slopes up or down at a gradient steeper than 1 in 5 for a distance of 10m from the frontage. | <p>P2</p> <p>A garage or carport for a dwelling must have a setback from a primary frontage that is compatible with the setbacks of existing garages or carports in the street, having regard to any topographical constraints.</p> |
| <p>A3</p> <p>A dwelling, excluding outbuildings with a building height of not more than 2.4m and protrusions that extend not more than 0.9m horizontally beyond the building envelope, must:</p> <ul style="list-style-type: none"> (a) be contained within a building envelope (refer to Figures BRI-S13.4, BRI-S13.5 and BRI-S13.6) determined by: <ul style="list-style-type: none"> (i) a distance equal to the frontage setback or, for an internal lot, a distance of 3m from the rear boundary of a property with an adjoining frontage; and (ii) projecting a line at an angle of 45 degrees from the horizontal at a height of 3m above existing ground level at the side and rear boundaries to a building height of not more than 9.5m above existing ground level; and (b) only have a setback within 1.5m of a side or rear boundary if the dwelling: <ul style="list-style-type: none"> (i) does not extend beyond an existing building built on or within | <p>P3</p> <p>The siting and scale of a dwelling must:</p> <ul style="list-style-type: none"> (a) not cause an unreasonable loss of amenity to adjoining properties, having regard to: <ul style="list-style-type: none"> (i) reduction in sunlight to a habitable room (other than 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 dwelling when viewed from an adjoining property; and (b) provide separation between dwellings on adjoining properties that is consistent with that existing on established properties in the area. |

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| <p>0.2m of the boundary of the adjoining property; or</p> <p>(ii) does not exceed a total length of 9m or one-third the length of the side boundary (whichever is the lesser).</p> | |
|--|--|

BRI-S13.8.3 Site coverage and private open space for all dwellings – Precinct A

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

| <p>Objective:</p> | <p>That dwellings are compatible with the amenity and character of the area and provide:</p> <p>(a) for outdoor recreation and the operational needs of the residents;</p> <p>(b) opportunities for the planting of gardens and landscaping; and</p> <p>(c) private open space that is conveniently located and has access to sunlight.</p> |
|--|---|
| <p>Acceptable Solutions</p> | <p>Performance Criteria</p> |
| <p>A1</p> <p>Dwellings must have:</p> <p>(a) a site coverage of not more than 65% (excluding eaves up to 0.6m wide); and</p> <p>(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> | <p>P1</p> <p>Dwellings must have:</p> <p>(a) Site coverage consistent with that existing on established properties within the precinct;</p> <p>(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:</p> <p>(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;</p> <p>(ii) Operational needs, such as clothes drying and storage; and</p> <p>(c) Reasonable space for the planting of gardens and landscaping.</p> |
| <p>A2</p> <p>A dwelling must have private open space that:</p> | <p>P2</p> <p>A dwelling must have private open space that includes an area capable of serving as an extension of the dwelling for</p> |

| | |
|---|---|
| <p>(a) is in one location and is not less than:</p> <ul style="list-style-type: none"> (i) 24m²; or (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); <p>(b) has a minimum horizontal dimension of:</p> <ul style="list-style-type: none"> (i) 4m; or (ii) 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); <p>(c) is located between the dwelling and the frontage only if the frontage is orientated between 30 degrees west of true north and 30 degrees east of true north; and</p> <p>(d) has a gradient not steeper than 1in.</p> | <p>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. |
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BRI-S13.8.4 Dwelling design – all precincts

This clause is in addition to General Residential Zone – clause 8.4 Development standards for dwellings.

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| <p>Objective:</p> | <p>That dwellings:</p> <ul style="list-style-type: none"> (a) maximise opportunities for passive surveillance; and (b) contribute positively to the streetscape. | |
| <p>Acceptable Solutions</p> | <p>Performance Criteria</p> | |
| <p>A1</p> <p>A dwelling with a front building elevation facing a primary frontage must:</p> <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. | <p>P1</p> <p>A dwelling must be designed so the front building elevation maximises opportunities for passive surveillance and contributes positively to the streetscape, having regard to:</p> <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. |
| <p>A2</p> <p>The front building elevation of a dwelling facing a primary frontage must include an entry door that is readily visible from the primary frontage.</p> | <p>P2</p> <p>A dwelling must be designed so the front building elevation contributes positively to the streetscape, having regard to:</p> <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. |

BRI-S13.8.5 On-site landscaping for multiple dwellings – all precincts

This clause is in addition to General Residential Zone - clause 8.4 Development standards for dwellings.

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| Objective: | That new multiple dwellings contribute positively to residential amenity. | |
| Acceptable Solutions | Performance Criteria | |
| <p>A1</p> <p>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.</p> | <p>P1</p> <p>Multiple dwellings must provide a reasonable level of landscaping, having regard to:</p> <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. | |

BRI-S13.9 Development Standards for Subdivision

BRI-S13.9.1 Lot design

This clause is in substitution for General Residential Zone – clause 8.6.1 Lot Design.

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| Objective: | <p>That Subdivision:</p> <ul style="list-style-type: none"> (a) is consistent with the Development Framework; (b) achieves a range and mix of lot sizes; (c) creates lots with areas and dimensions appropriate for the use and development; and |
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| | (d) avoids the creation of internal lots except where shown on the Development Framework or in response to by t site constraints. |
|---|--|
| 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; and (c) 1,000m² for Precinct C. | <p>P1</p> <p>Each lot, or a lot proposed in a plan of subdivision, must have an area that is consistent with the Development Framework having regard to:</p> <ul style="list-style-type: none"> (a) the topography of the site; (b) the pattern of development existing on established properties in adjacent areas; (c) the intended location of buildings on the lot; (d) and the range and mixture of lot sizes existing and proposed; and (e) 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 and B, not less than 12m; and (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 Development Framework; (b) the width of frontage proposed; (c) opportunities for housing diversity; (d) the functionality and useability of the frontage; (e) the ability to manoeuvre vehicles on the site; and (f) 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 and B, a minimum area of 8.0m by 12.0m with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> (i) all setbacks required by clause BRI-S13.5.2 for Precinct A; | <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; |

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| <ul style="list-style-type: none"> (ii) all setbacks required by clause 8.4.2 for Precinct B; and (iii) 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 clause 8.4.2; and (ii) easements or other title restrictions that limit or restrict development. | <ul style="list-style-type: none"> (c) the topography of the site; (d) the presence of any natural hazards; (e) adequate provision of private open space; and (f) 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 other than as shown on the Development Framework.</p> | <p>P5</p> <p>Any internal lot not shown on the Development Framework must only be created where it is demonstrated that significant site constraints prevent subdivision in accordance with the Development Framework, having regard to:</p> <ul style="list-style-type: none"> (a) the intended density and lot layout within the Development Framework; (b) the efficient utilisation of residential land and infrastructure; (c) whether the subdivision would result in an unreasonable loss of amenity of adjoining |

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| | <p>lots, including through the subsequent development and use of the lot;</p> <p>(d) whether passing bays are provided at appropriate distances to service the likely future use of the lot;</p> <p>(e) whether 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; and</p> <p>(f) the advice of the road authority.</p> |
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BRI-S13.9.2 Subdivision layout

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

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| Objective: | Subdivision layout, road arrangement and design is consistent with the Development Framework. | | |
| Acceptable Solutions | | Performance Criteria | |
| A1 | Each lot, or a lot proposed in a plan of subdivision, must: | P1 | The layout of lots, roads, open space and pedestrian connections must be reasonably consistent with the Development Framework, having regard to: |
| | <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>(a) the facilitation of high levels of vehicular and pedestrian connectivity in the subdivision and to open spaces and adjacent areas;</p> <p>(b) the road design and road hierarchies shown in Figures BRI-S13.7 and BRI-S13.8;</p> <p>(c) the future subdivision of adjoining lots and the likely layout;</p> <p>(d) the safety and efficiency of Boyer Road;</p> <p>(e) avoiding compromising the appropriate and reasonable future subdivision of the entirety of any balance lot; and</p> <p>(f) any advice received from the road authority.</p> |
| A2 | | P2 | No Performance Criterion. |

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| <p>Access points to Boyer Road must be located in accordance with Figure BRI-S13.8.</p> | |
| <p>A3 The layout of new roads must be in accordance with the Development Framework and:</p> <ul style="list-style-type: none"> (a) the relevant road design and traffic calming measures shown in Figure BRI-S13.7; and (b) the road hierarchy shown in Figure BRI-S13.8. | <p>P3 The layout and design of new roads is consistent with the Development Framework, 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 achieve 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-S13.9.3 Stormwater

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

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| <p>Objective:</p> | <p>That the subdivision of land:</p> <ul style="list-style-type: none"> (a) provides for a public stormwater system for each catchment; and (b) maintains, protects and improves the quality of the creek network. |
| <p>Acceptable Solutions</p> | <p>Performance Criteria</p> |
| <p>A1 No Acceptable Solution.</p> | <p>P1 Subdivision must provide a public stormwater system for the relevant catchment(s) shown in Figure BRI-S13.9, having regard to:</p> <ul style="list-style-type: none"> (a) the potential stormwater detention and treatment methods identified in Figure BRI-S13.9; (b) the existing and proposed public stormwater system; |

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| | <ul style="list-style-type: none"> (c) potential staging of the public stormwater system for the catchment; (d) maximising connectivity with the surrounding public stormwater system to facilitate future subdivision potential; (e) topography of the site; (f) the future subdivision potential of any balance lots on adjoining land; (g) the advice contained within a stormwater management report; (h) any advice from the stormwater authority; (i) any advice from the road authority; and (j) any advice from the rail authority. |
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BRI-S13.9.4 Landscaping

This clause is in addition to General Residential Zone – clause 8.6 Development standards for subdivision

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| Objective: | To encourage safe and attractive landscaped roads in accordance with the Development Framework. | |
| Acceptable Solutions | | Performance Criteria |
| A1 | Not less than one street tree must be provided along the frontage of a new lot, which may include an existing street tree, except for internal lots in accordance with Figure BRI-S13.10. | P1 Street trees must be provided along the frontage of new lots, having regard to: <ul style="list-style-type: none"> (a) the width of lot frontages; (b) location of infrastructure; (c) the topography of the site; (d) the safety and efficiency of the road network; (e) the nature of the road; (f) existing vegetation that can be retained; and (g) the advice of the road authority. |

BRI-S13.9.5 Subdivision staging

This clause is in addition to General Residential Zone – clause 8.6 Development standards for subdivision

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| Objective: | To ensure staging occurs in accordance with the Development Framework. | |
| Acceptable Solutions | Performance Criteria | |
| A1 The subdivision must be delivered in accordance with the staging identified on Figure BRI-S13.11. | P1 The subdivision may be staged so ensure the efficient and reasonable release of land, having regard to: (a) any other configuration to that identified in Figure BRI-S13.11, 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 from the road authority; (c) any advice from TasRail; (d) any advice from TasWater; and (e) any advice from TasNetworks. | |

BRI-S13.10 Tables

This clause is not used in this specific area plan.

Figure BRI-S13.1 - Boyer Road Specific Area Plan

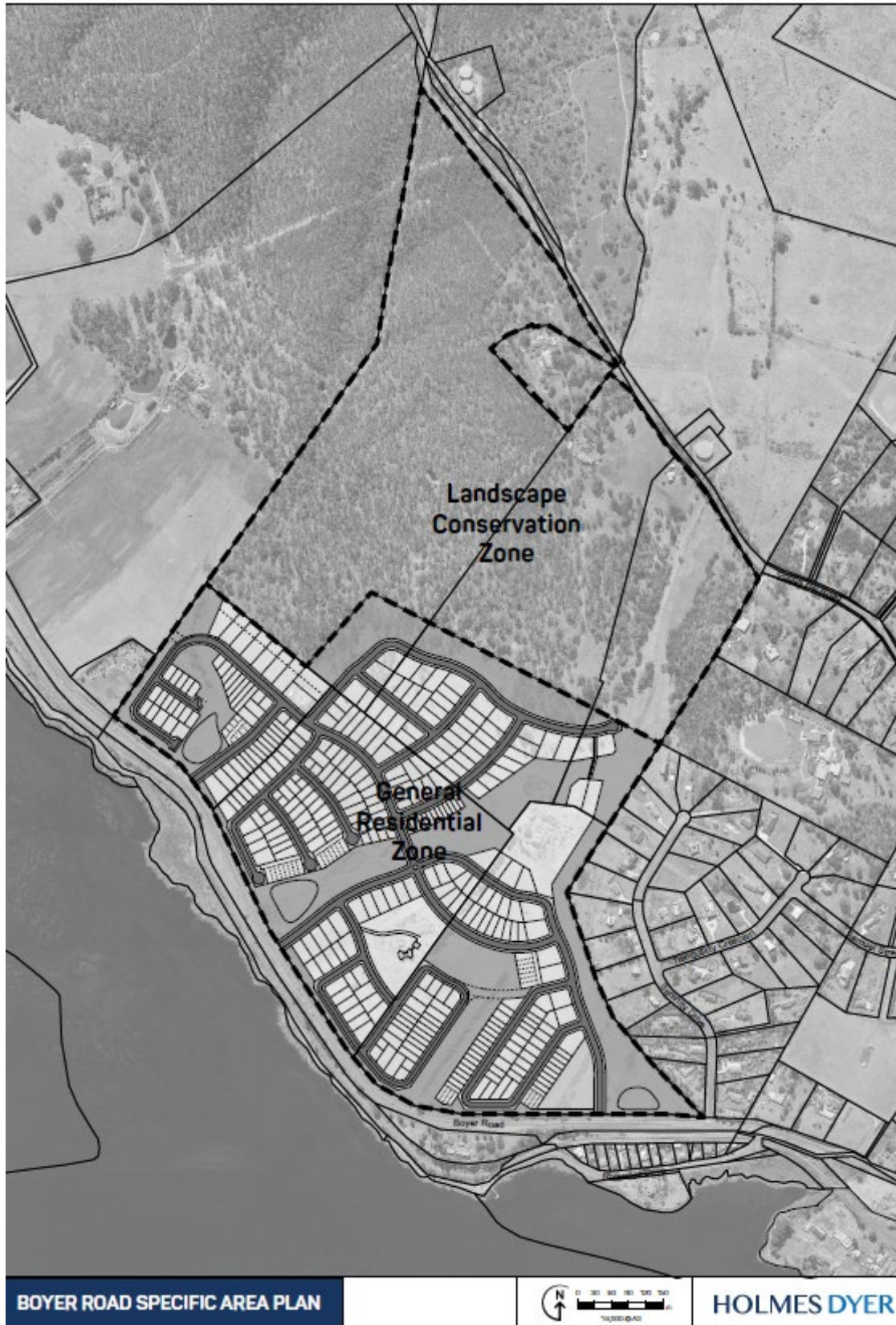


Figure BRI-S13.2 - Development framework



Figure BRI-S13.3 - Precinct Area Plan



Figure BRI-S13.4 - Building envelope as required by clause BRI-S13.8.2 A3(a)

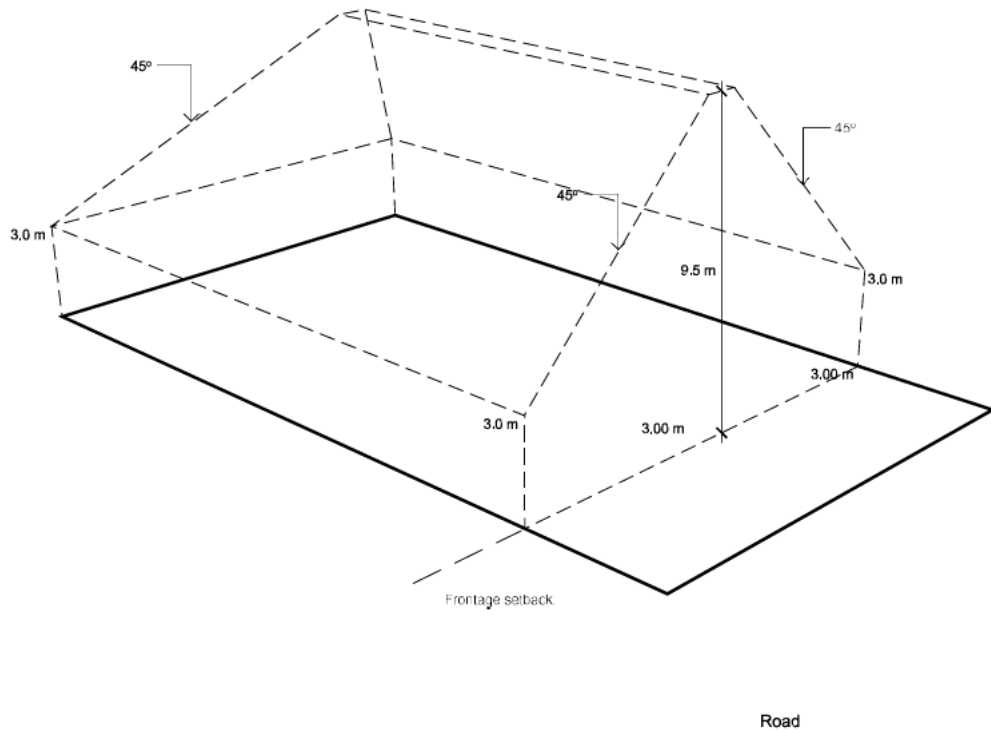


Figure BRI-S13.5 - Building envelope for corner lots as required by clause BRI-S13.8.2 A3(a)

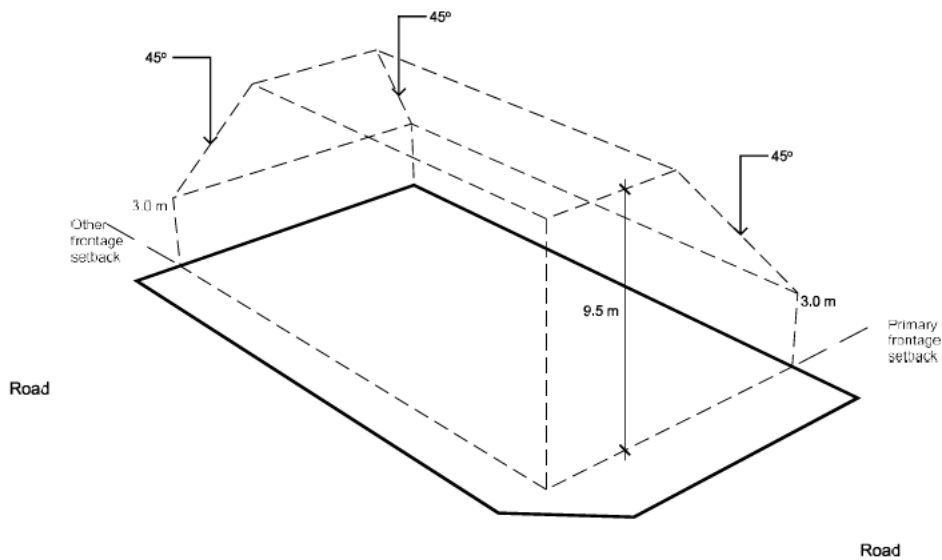


Figure BRI S13.6 - Building envelope for internal lots as required by clause BRI-S13.8.2 A3(a)

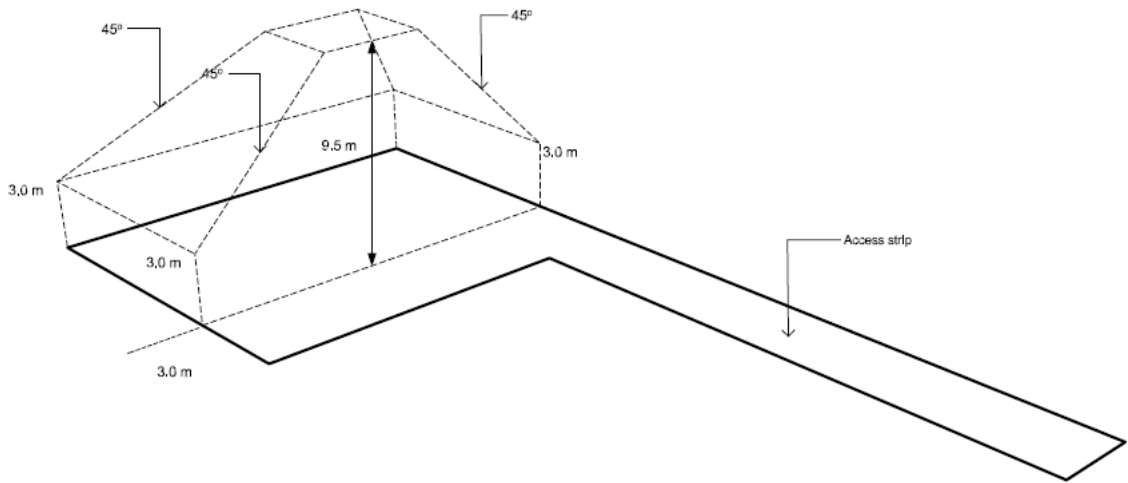


Figure BRI-S13.7 - Road design

Detail - Collector Road
20m Road Reserve

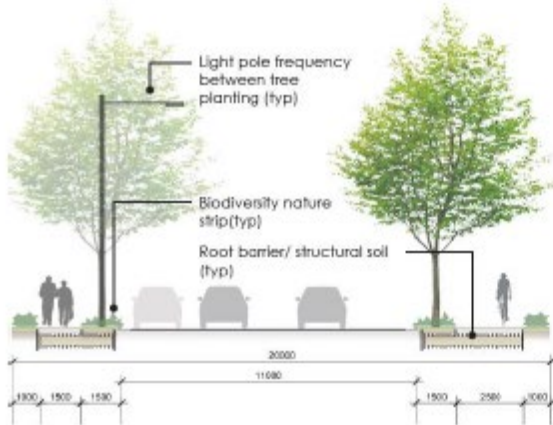


Detail - Local Road
18m Road Reserve



General for all roads

Inground services (power/water/comms/turkeys/pits) not shown but to be strategically located and coordinated to work in conjunction with tree soil cells and root barriers



Detail - Access Road
15m Road Reserve



Detail - Laneway
8m Road Reserve

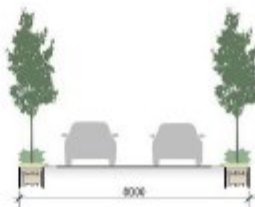
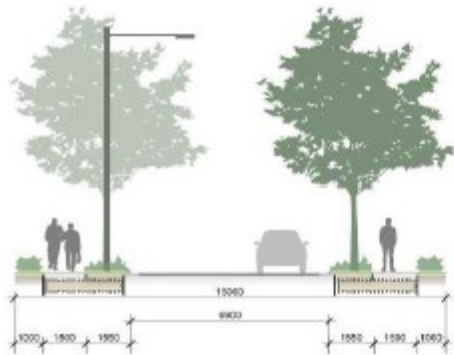


Figure BRI-S13.8 - Road hierarchy



Figure BRI-S13.9 - Stormwater catchment

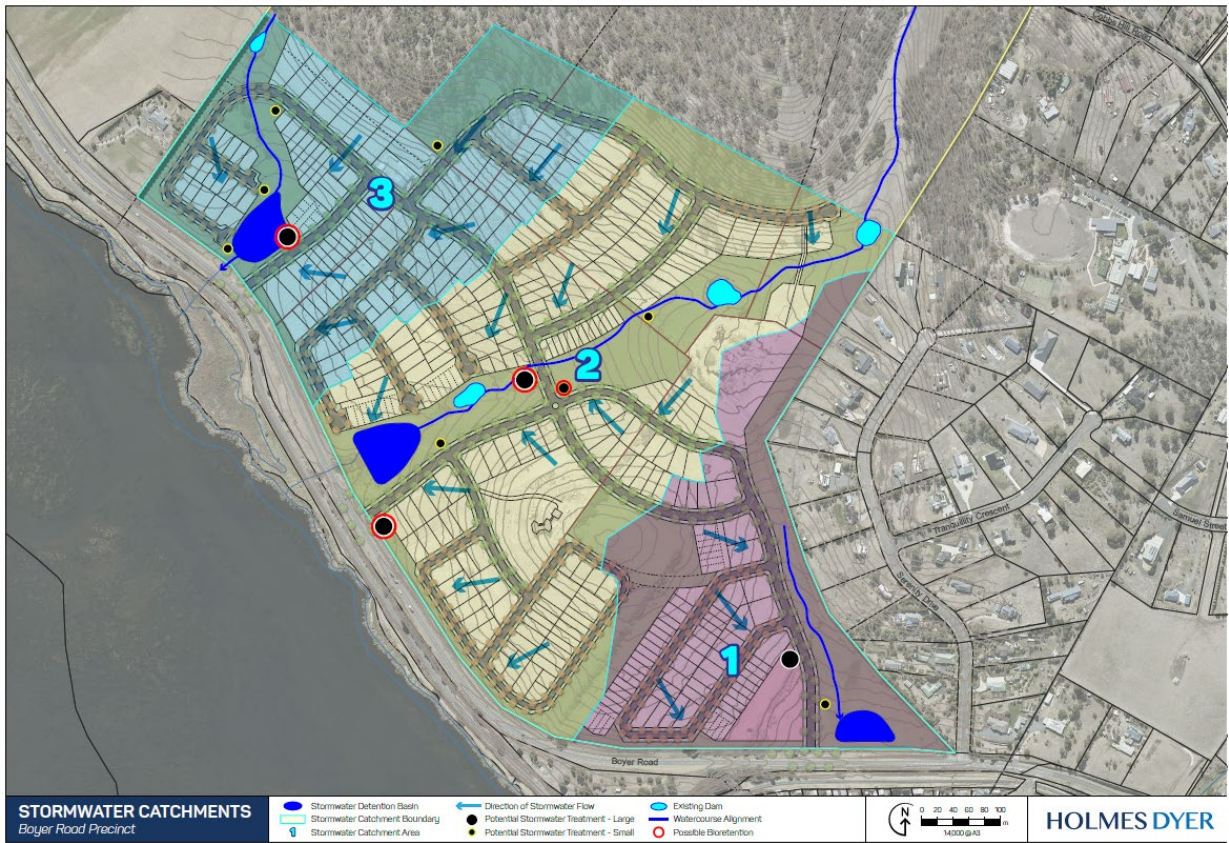


Figure BRI-S13.10 - Trees and planting palette



Figure BRI-S13.11 - Precinct Staging Plan

