



South Brighton Development Precinct Report

Stage 2B

Brighton Council

18 July 2022

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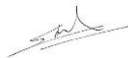
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Executive summary

This report is subject to, and must be read in conjunction with, the limitations set out in 1.3 and the assumptions and qualifications contained throughout the Report.

This report will provide the analysis and the recommended framework for a Planning Scheme amendment to rezone land and create a Specific Area Plan that will be used to implement the South Brighton Development Precinct plan for the 'South Brighton Area' in the *Tasmanian Planning Scheme - Brighton*.

The Precinct Plan is a plan developed as a result of Stage 1 and Stage 2A of the 'South Brighton Infrastructure Feasibility and Master Plan' project undertaken by GHD, Brighton Council and the Department of Education.

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1. Introduction

1.1 Purpose of this report

This report will provide the analysis and the framework for a rezoning and a Specific Area Plan (SAP) that will implement the South Brighton Development Precinct Plan (Precinct Plan) for the 'South Brighton Area' in the Tasmanian Planning Scheme – Brighton (Planning Scheme). The Precinct Plan is a plan developed as a result of Stage 1 and Stage 2A of the 'South Brighton Infrastructure Feasibility and Master Plan' project undertaken by GHD, Brighton Council and the Department of Education. The report will provide a draft written ordinance for the SAP and mapped rezonings that the Brighton Council will then use as the basis for an amendment to the Planning Scheme. The report will also provide assessment and recommendations with regard to the assessment and initiation of the SAP. The rezonings and the Specific Area Plan aims to achieve a high-quality urban environment that will integrate public open space, a new school, a new retail area, large greenfield development together with a network of landscaped roads, open space trails and attractive water management infrastructure. Existing landowners through the eventual provision of a sewer system will be able to subdivide (or further develop their land) in a way that enhances the overall area and should provide further opportunity for others to also develop.

1.2 Scope and limitations

This report: has been prepared by GHD for Brighton Council and may only be used and relied on by Brighton Council for the purpose agreed between GHD and Brighton Council.

GHD otherwise disclaims responsibility to any person other than Brighton Council arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report (refer section(s) 1.3 of this report). GHD disclaims liability arising from any of the assumptions being incorrect.

1.3 Assumptions

That this report will provide a draft map of the recommended rezoning(s) and a draft SAP written ordinance that can be used in the initiation of a Planning Scheme amendment by the Brighton Council.

It is the responsibility of the Brighton Council to initiate and assess the amendment against the requirements of the Resource Management and Planning System Tasmania.

GHD anticipates that the Brighton Council will finalise the draft amendment as suitable for initiation and exhibition.

2. Background

2.1 Preparation of Precinct Plan

The Brighton Council together with the Department of Education have engaged the services of GHD Pty Ltd to undertake an Infrastructure Feasibility and Master Plan for the land described as the South Brighton Development Precinct in Brighton, Tasmania.

The South Brighton area covers an area of approximately 73 ha and is bounded by Elderslie Road and William Street to the north and the Highway Services Precinct to the south. Brighton Road bisects the Development Precinct.

To the north of the site is the beginning of the commercial strip which runs along Brighton Road into the township of Brighton. Further to the south is the Brighton Industrial Estate and Transport Logistics Hub.

The SAP area consists of three large greenfield titles to the west of Brighton Road and multiple infill development areas to the east (see Figure 2.1).

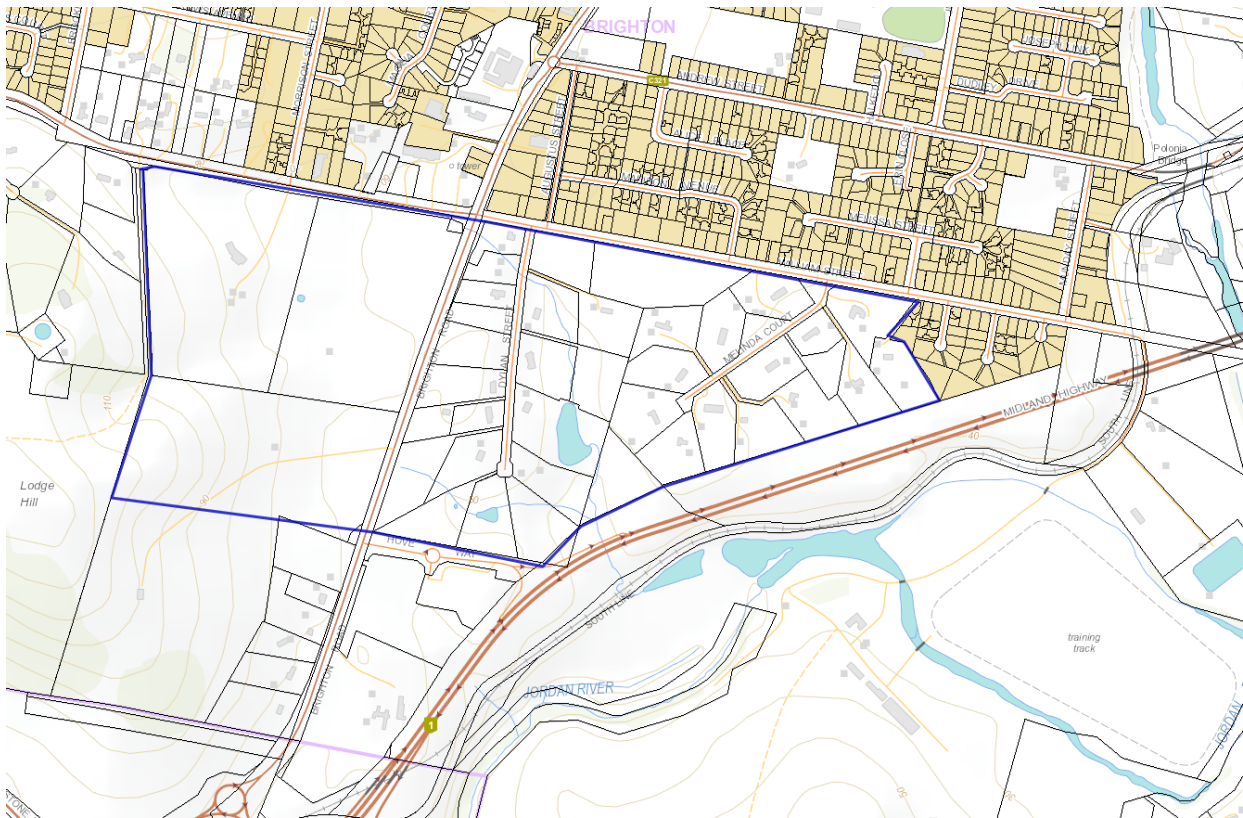


Figure 2.1 The SAP area is highlighted in a heavy blue outline

GHD prepared the *South Brighton Infrastructure Feasibility and Master Plan Infrastructure Assessment*, December 2020 report (Infrastructure Plan) that was used to consider and assess the condition and capacity of the existing infrastructure servicing the site including stormwater, sewer and the transport network in the area. The report identified options for infrastructure upgrades required for various development scenarios for the area. This included the new school and further subdivision and increased density (and population) for the area.

The infrastructure feasibility study was a precursor to the draft Precinct Plan document. This plan is a single page plan that outlines a concept master plan for the South Brighton Area. The plan includes:

- Areas of land for rezoning (and increased density)
- Open Space areas
- Streetscaping

- Future road and lot layouts
- Connectivity between areas
- Retail and local business areas (for rezoning).

Multiple revisions of the plan were prepared which concluded with Revision F (October 2021). This revision of the plan was used for public, landowner and stakeholder consultation by the Brighton Council in November 2021. The consultation was a necessary stage of the project lifecycle that would inform the next revision of the plan.

2.2 Public Consultation

Public, landowner and stakeholder consultation on the Precinct Plan was held between the 2nd November 2021 until the 26th November 2021. The Revision F (October 2021) plan was used for the consultation.

Consultation was undertaken as follows:

- Letters to all landowners and occupiers in the study site, including a FAQ and copy of the draft Master Plan and an invitation for one-on-one meetings
- Letters to all landowners and occupiers with properties adjoining the subject site
- Letters to all relevant infrastructure providers and state service authorities
- A “Have Your Say” page with links to the draft Master Plan, supporting documentation and a survey monkey
- A Drop-in session from 4 p.m. to 6p.m on Wednesday 10th November at the Brighton Bowls Club
- One-on-one meetings with landowners
- Promotion of the “Have Your Say” and drop-in session on social media.

The Precinct Plan was generally well received. The landowner support for the South Brighton area is a major factor in determining the success of the plan and in progressing the draft plan through to a planning scheme amendment.

The landowners have an intimate knowledge of their land and can provide insights into how the land is being used and developed. This in turn assists Council in guiding the final revision of the plan.

A full consultation report was prepared by the Brighton Council Officers which detailed the consultation progress, the feedback received and the recommended changes to the Precinct Plan. This included a list of 22 actions.

Council endorsed the consultation report at the April 2022 Ordinary Meeting of Council.

The key outcome of the consultation are provided as follows:

- That an infrastructure cost contribution strategy or policy is required to facilitate a cost and resource sharing scheme towards new roads, landscaping and services needed to facilitate subdivision and development. Council intend to implement a model that, as far as practicable, delivers an equitable scheme that does not unfairly burden, the Council, service providers and particular landowners or developers with subdivision/development expenses
- That key linkages, open space areas, and road networks be enhanced in the plan
- That at least 5% of the eastern side of the development area is used for public open space
- To make various changes to the plan to facilitate subdivision development for various individual titles and landowners
- To make use of a historic ‘right of carriageway’ for a roadway and frontage and access for new lots
- To continue discussion and negotiation with landowners and developers to deliver a sewerage management solution (infrastructure) for this area
- To overall proceed with the planning scheme amendment to rezone part of the land and implement a SAP.

2.3 Final South Brighton Development Precinct

The final *South Brighton Development Precinct*, Revision G (July 2022) plan has been prepared in accordance with the recommendations of the Council following the consultation period and the April decision of the Brighton Council.

The key changes to the document are provided below:

- Retain and enhance public open space networks and pathways between open space areas
- Integrate the natural flood and stormwater flow path from corner of William Street and Brighton Road towards the Dylan Street Dam (11 Dylan Street, CT 143361/6) into an open space trail and roadway
- Enhance the Brighton Road and facilitate slower traffic speed, town gateway (at southern entrance/roundabout). Provide direction to further streetscape design plans, and scope for bus stopping areas
- Clearly show urban design link from north to south between retail/commercial type areas i.e. pedestrian crossings are likely at northern end of school site, close to southern retail precinct or align with 69 Brighton Road Open Space area.
- Provide a link road from 69 Brighton Road through 33 Elderslie Road to Elderslie Road and allow public open space/walkway land between road and school.
- Delete the lot layouts for the greenfield sites on the westerns side of the Brighton Road (33 Elderslie Road and 69 Brighton Road).
- 2 Dylan Street, which is the corner of Brighton Road and William Street is a difficult flooding low point and must connect with a Public Open Space/flow path/drainage/road to the dam and to the pump station park low point and culverts under highway.
- Allocate land and road area for a potential future sewerage pump station.
- Show road from the Hove Way roundabout through a future retail area to the new road at rear of retail area (i..e the road that runs along the creek line)
- Amend the end of the loop road to William Street where a landowner was not supportive of a road or developing land. Potentially send road to Melinda Court to location of shared driveways.
- Show the 'Melinda Court Right of Way' as a future roadway.

A final version of the Precinct Plan is provided in Appendix B of this report.

3. Planning Scheme Amendment

To provide for the orderly conversion of the Rural Living estate and the undeveloped land within the project area into a well-connected and efficiently laid out General Residential estate, it is recommended that the Brighton Council of its own motion prepare a draft amendment to the Tasmanian Planning Scheme – Brighton per Section 40D (b) of the Land Use Planning and Approvals Act 1993 (the Act). The amendment is to rezone the land within the South Brighton Area and apply a Specific Area Plan to the area to mandate and guide future development approvals within (and particular to) the area.

The Planning Authority is to demonstrate that the amendment meets the LPS criteria per Section 40F. Therefore, a suggested basis for meeting the LPS criteria per Section 40F is included in this report together with the guiding principles for the Precinct Plan and the standards for the SAP.

3.1 Basis for Framework

GHD recommend that the Precinct Plan be implemented through the Planning Scheme via a SAP and a suite of land rezonings. The recommended rezonings are described as follows:

- Rezone approximately 11.3ha of land at 69 Brighton Road, Brighton (CT 179925/1) from the Rural Zone to the General Residential Zone including the long access strip to the Elderslie Road (west of 33 Elderslie Road)
- Rezone 12, 15, 16, and 17 Dylan Street (CT 143361/12, CT 143361/10, CT 143361/9, CT 143361/8) from the Rural Living Zone to the Urban Mixed Use Zone
- Rezone all land, excluding those sites identified above, between the Brighton Road to the west, William Street to the north, the highway services station road to the south and the Midland Highway Utilities Zone to the east from the Rural Living Zone to the General Residential Zone
- Include all roads within the area to be zoned per the adjoining zoning (or to the centre of the road where adjacent to a different zone).

The recommended rezonings are provided in Figure 3.1.

The recommended SAP is to apply to the entire land area described in Figure 2.1 and as shown in Figure 3.1 in this report.

The written ordinance for the draft SAP is provided as Appendix A with this report.

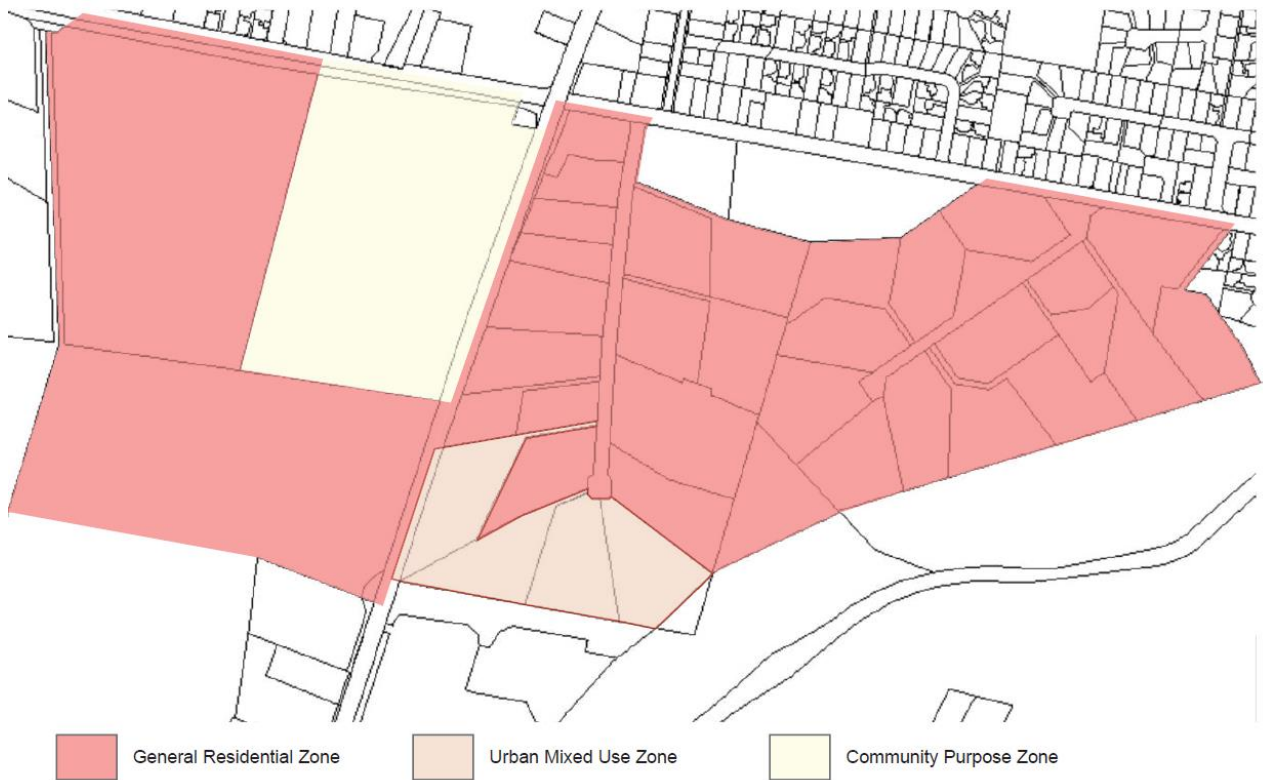


Figure 3.1 Recommended Rezoning for South Brighton

3.1.1 Purpose of SAP

The purpose of the SAP is to implement the South Brighton Development Precinct Plan as shown in Figure 3.1 and attached as Appendix B through the *Tasmanian Planning Scheme - Brighton*. The SAP includes standards that are specific to this area to guide and facilitate the logical and sustainable development of the area. This includes guiding lot layouts, road networks, landscaping and developer contributions towards shared infrastructure such as roads, footpaths, water and sewer services etc.

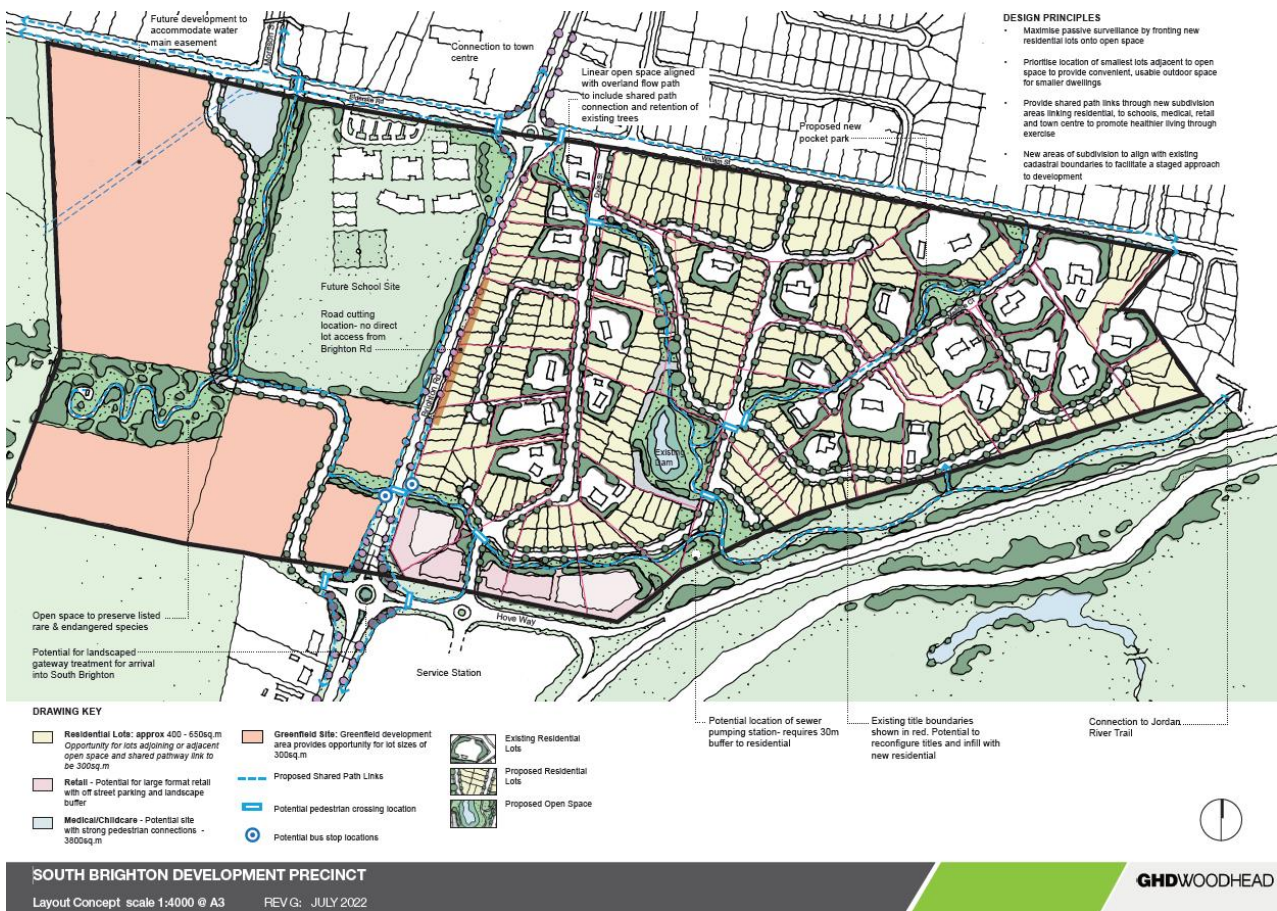


Figure 3.2 South Brighton Development Precinct

The primary reason for a developer contribution is to provide a means of coordinating the funding of new roads and services in what is currently a Rural Living Zone area. This would then require the Brighton Council to prepare and adopt a developer contribution policy or an addendum/amendment to their existing policy to determine a contribution towards services on a 'case by case' basis. This is necessary to share the responsibility and burden of developing multiple lots in separate ownership rather than a single landowner carrying the complete costs of creating a new road junction or construction of a sewer main for example that would benefit future developers.

The SAP is deliberately simple and does not include any new standards for buildings and works or unique local area objectives. The SAP is largely reliant on the standards of the Tasmanian Planning Scheme.

3.1.2 Content of SAP

Each section of the draft SAP is discussed in the sub-headings below. This includes explanation of the purpose statements, the standards and the general operation of the SAP.

BRI-S11.1 Plan Purpose

The purpose of the South Brighton Specific Area Plan is:

BRI-S11.1.1	To implement the South Brighton Development Precinct Plan.
BRI-S11.1.2	To maximise and facilitate future development potential.
BRI-S11.1.3	To coordinate the provision of infrastructure and public open space.
BRI-S11.1.4	To create a safe and pleasant urban environment, through landscaping and connectivity between roads, the school and open spaces.
BRI-S11.1.5	To provide a range of lot sizes with higher density living on greenfield sites and in close proximity to open space and open space networks.
BRI-S11.1.6	To encourage connectivity between the east and west side of the Brighton Road and to further integrate the Hove Way commercial area with the overall Brighton township.

BRI-S11.1.7	To attract large scale retail development or bulky good sales to the Hove Way commercial area.
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Comment

The SAP purpose statements are consistent with *Practice Note 8: Draft LPS written document technical advice*, Tasmanian Planning Commission, and *Planning Directive 1 - The Format and Structure of Planning Schemes*, Minister for Planning February 2016. Accordingly, the purpose statements for the SAP are:

- Clear and concise
- Inform and relate to the draft standards for the SAP
- Operative per part 6.10.2 of the *Tasmanian Planning Scheme – Brighton*. The Planning Authority can have regard to these statements in the consideration of a permit for a discretionary use
- They are specific to this area and are not otherwise provided by the purpose statements of the underlying zone(s)
- They are consistent with Section 32 (4) (a) of the Act. The purpose statements inform standards for "...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".

BRI-S11.8 Development Standards for Subdivision

BRI-S11.8.1 Subdivision in the General Residential Zone

This clause is a substitution for General Residential Zone - clause 8.6.1 Lot design A1 and P1 and A4 and P4, and clause 8.6.2 Roads.

Objective:	
New lots, roads and public open space in the General Residential Zone are consistent with the purpose of the Specific Area Plan and the development framework.	
Acceptable Solutions	Performance Criteria
<p>A1</p> <p>The design and layout of lots (including lots proposed in a plan of subdivision), roads, public open space and pedestrian connections must be:</p> <ul style="list-style-type: none"> a) No less than 300m²; and b) consistent with the development framework in Figure BRI-S11.2; and c) be able to contain a minimum area of 10m x 12m with a gradient not steeper than 1 in 5, clear of: <ul style="list-style-type: none"> i. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and ii. easements or other title restrictions that limit or restrict development; and iii. existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; or d) be required for public use by the Crown, a council or a State authority; or e) be required for the provision of Utilities; or 	<p>P1</p> <p>The layout of lots, roads and pedestrian connections must be compatible with the purpose of the Specific Area Plan and the development framework in Figure BRI-S11.2 having regard to:</p> <ul style="list-style-type: none"> a) the facilitation of high levels of vehicular and pedestrian connectivity in the subdivision and to open spaces and adjacent areas; b) the integration of landscaping into the road, pedestrian and open space network; c) avoid compromising the appropriate and reasonable future subdivision of the entirety of any balance lot or adjoining lot; d) any advice received from the road authority; and e) any natural hazards or other site conditions that constrain future development.

f) be for the consolidation of a lot with another lot provided each lot is within the same zone.	
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Comment

The standard is the primary mechanism to implement the South Brighton Development Precinct Plan in the General Residential Zone as provided in the development framework Figure BRI-S11.2.

The standard provides an acceptable solution and performance criteria that are consistent with zone purpose statements.

Similar standards have been used in other SAPs in the *Tasmanian Planning Scheme – Brighton* such as the BRI-S9.0 Tivoli Green Specific Area Plan and also the *Tasmanian Planning Scheme – Glenorchy* GLE-S7.0 Whitestone Point Specific Area Plan. Both of which were recently approved through Planning Scheme Amendments and again assessed as part of the LPS process.

Of note is that the standard provides an acceptable solution for lots in the General Residential Zone that are less than the 450m² allowed under the Acceptable Solution for 8.6.1 Lot design. The current standards for lot design in the General Residential Zone also provides Performance Criteria that allow lots be created that are less than 450m² where they meet the provided criteria. The proposed Acceptable Solution however clearly allows a permitted pathway to create lots that are consistent with the Precinct Plan and achieve the desired planning outcome.

The Precinct Plan provides a legend that allows lots to 300m² in the greenfield areas of 33 Elderslie Road and 69 Brighton Road and where proposed lots are adjoining or adjacent to public open space or shared path links (as shown on the Precinct Plan). The intent is to increase the density of living that allows for a range of housing types, including potential for affordable housing which are provided in a high quality urban environment with access to open space and community services. This is considered a sustainable design standard.

BRI-S11.8.2 Subdivision in the Urban Mixed Use Zone

This clause is a substitution for Urban Mixed Use Zone - clause 13.5.1 Lot design A1 and P1

Objective:	
New lots in the Urban Mixed Use Zone are: a) consistent with the purpose of the Specific Area Plan and the development framework; and b) encourage a mixture of large scale retail development on larger lots and residential development on smaller lots	
Acceptable Solutions	Performance Criteria
A1 The design and layout of lots (including lots proposed in a plan of subdivision), roads, public open space and pedestrian connections must be: a) No less than 300m ² ; and b) Consistent with the development framework in Figure BRI-S11.2; or c) be required for public use by the Crown, a council or a State authority; or d) be required for the provision of Utilities; or e) be for the consolidation of a lot with another lot provided each lot is within the same zone.	P1 The layout of lots, roads and pedestrian connections must be compatible with the purpose of the Specific Area Plan and the development framework in Figure BRI-S11.2 having regard to: a) the facilitation of high levels of vehicular and pedestrian connectivity in the subdivision and to open spaces and adjacent areas; b) provide adequate parking and loading areas, including heavy vehicles, for commercial use; c) the integration of landscaping into the road, pedestrian and open space network; d) any advice received from the road authority; and

	e) any natural hazards or other site conditions that constrain future development.
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Comment

The standard is the primary mechanism to implement the South Brighton Development Precinct Plan in the Urban Mixed Use Zone as provided in the development framework Figure BRI-S11.2.

The Urban Mixed Use Zone provides an acceptable solution that allows/encourages a minimum lot size of 300m2. The size of lots is considered too small and would not achieve the purpose of the SAP. The relevant purpose statement is “BRI-S11.1.7 - To attract large scale retail development or bulky good sales to the Hove Way commercial area.”. It follows that large scale retail development or bulky goods sales require large lots for parking, retail space, heavy vehicle access for delivery of goods and landscaping.

The standard also allows for roads and public open space within the Urban mixed Use zone including residential lots.

BRI-S11.8.3 Landscaping

This sub-clause is in addition to General Residential Zone – Clause 8.6 Development Standards for Subdivision, Urban Mixed Use Zone – clause 13.5 Development Standards for Subdivision

Objective:	
To encourage safe and attractive landscaped roads and open space.	
Acceptable Solutions	Performance Criteria
A1 A new lot on a plan of subdivision does not require a new public road or include public open space.	P1 Subdivision to include the creation of new landscaped road reserve and open space that satisfy all of the following: a) In accordance with a landscape plan; that b) enhances the appearance of the streetscape development; c) provides a range of plant heights and forms to create diversity, interest and amenity; d) prevents the creation of concealed entrapment spaces; and e) excludes invasive weed species.

Comment

The State Planning Provisions do not provide a standard or clear mechanism for developers to provide landscaping and treatment of public open space areas.

The Application Requirements under Part 6.1 of the State Planning Provisions allows the Planning Authority to request additional information to satisfy if a proposed use or development will comply with a relevant standard and purpose statement. This part of the Planning Scheme therefore allows the Planning Authority to require and request that a Development Application includes public open space and landscaping treatment.

The Conditions and Restrictions on a Permit per Part 6.11 of the State Planning Provisions extend to a range of largely non specific requirements or conditions. This can include landscaping and open space treatment where it furthers the objectives of the Act (i.e. achieves a legitimate planning purpose) which in this case can be directly linked to the satisfaction of this landscaping standard or in conformity with the zone purpose statements.

The standard is essential in providing high quality living and amenity in the South Brighton area and to integrate the school into an urban environment that includes a busy main road, a large retail area and public transport options.

A standard such as this is required to implement the qualities of the Development Precinct Plan. It should be noted that the standard directly relates to the zone purpose statements and is compliant with the *Practice Note 8: Draft LPS written document technical advice*, Tasmanian Planning Commission, and *Planning Directive 1 - The Format and Structure of Planning Schemes*, Minister for Planning February 2016.

BRI-S11.8.4 Infrastructure contribution

This clause is in addition to General Residential Zone - clause 8.6 Development Standards for Subdivision, Urban Mixed Use Zone – clause 13.5 Development Standards for Subdivision

Objective:	
To ensure that:	
<ul style="list-style-type: none"> a) Subdivision design provides for land, services and easements that will enable further land development in accordance with the Development Framework and purpose of the Specific Area Plan; and b) Developer contributions are made towards the cost and provision of Council infrastructure in accordance with the relevant Policy adopted by the Council. 	
Acceptable Solutions	Performance Criteria
<p>A1 A new lot or lot on a plan of subdivision does not require an upgrade or provision of Council maintained infrastructure, other than access to a road and a stormwater connection.</p>	<p>P1 The provision of Council maintained infrastructure, including stormwater, footpath, road, streetlighting and landscaping must be provided by either:</p> <ul style="list-style-type: none"> a) Entering an agreement under Part 5 – Section 71 of the Act, to be registered on the title, providing for the schedule of costs and developer contributions toward Council maintained infrastructure in accordance with the relevant Policy adopted by the Brighton Council; or b) Provision of infrastructure, to be taken over and maintained by the Council, including any necessary upgrades, is provided entirely at the developer's expense.

Comment

The standard provides the mechanism, and clear head of power, for Council to condition or require a developer to provide upgrades or provision of infrastructure that is to be taken over and maintained by the Council.

A Planning Scheme, per Section 11 (2) of the Act allows for Planning Schemes to set out requirements for the provision of public utilities, require certain things be done to the satisfaction of the relevant agency or planning authority, apply or adopt documentation that relates to the protection of land and to allow for relevant Part 5 Agreements.

The standard is consistent with Part 11 of the Act and furthers the Schedule 1 Objectives of the Act.

The provision of such infrastructure, in any subdivision, could potentially be required by the Planning Authority with or without the standard. However the standard makes this requirement clear. It also allows Council to amend their current infrastructure contribution policy and apply through the Planning Scheme.

This will present some challenges for Council. The challenge will be ensuring the policy is, as far as practicable, equitable to all developers and landowners within the SAP area. There are many examples across Australia and New Zealand and some simple policies in Tasmania (primarily for stormwater provision) that could be used to help guide this policy change.

GHD suggest that Brighton Council implement a simple and bespoke policy that relates to this draft standard through a resolution of Council. GHD have prepared such infrastructure policies for other Councils. This could also be an addendum or amendment to the existing *Key Infrastructure Investments and Defined Infrastructure Charges Policy, 2018*.

It should be noted that the Acceptable Solution and Performance Criteria provide for scenarios where service provision (for shared public services) or upgrades of such services is either not required or the developer simply provides the infrastructure.

The standard is in addition to the 5% contribution to public open space as land or cash in lieu per Brighton Council's Public Open Space Policy.

3.1.3 Purpose of Rezoning

The recommended rezonings are the simplest means of achieving the future development of the South Brighton Area.

All proposed rezonings (and SAP) are within the Urban Growth Boundary (UGB) as shown in Figure 3.3. The rezonings provide a logical extension to the Brighton township and provide much needed residential land and housing options in the Brighton area.

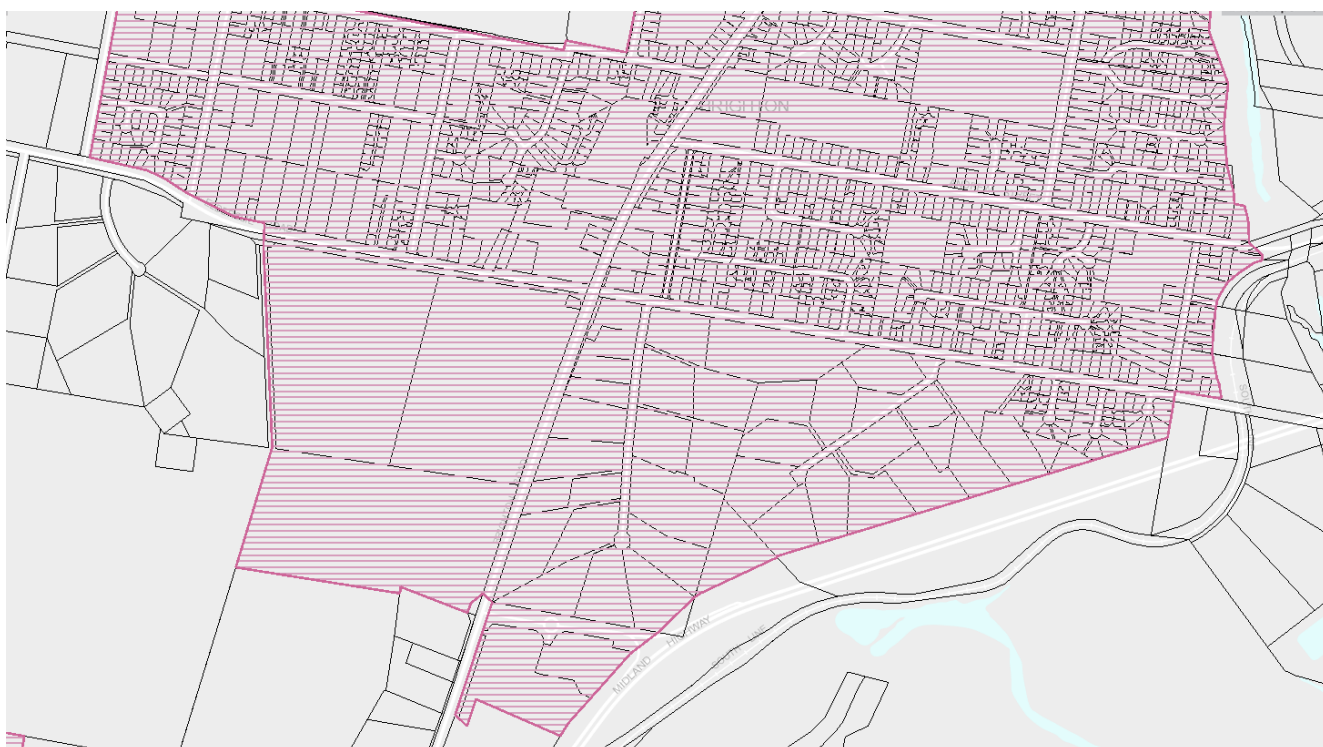


Figure 3.3 Urban Growth Boundary Map

Entirely new or bespoke zones such as a Particular Purpose Zone are not required or recommended for what is predominately a means to increase the density and population of this area and to include a new business area that does not detract from the existing central Brighton retail area.

The Urban Mixed Use Zone is recommended as the most appropriate zone for the southern retail area. It allows for a larger retail gross floor area (when compared to the Local Business Zone) and is intended to integrate with the proposed General Residential Zone. Also the zone can be better assimilated in the Activity Centre Hierarchy under the Southern Tasmanian Regional Land Use Strategy (STRLUS).

This is clearly outlined in the zone purpose statements:

13.1 Zone Purpose

The purpose of the Urban Mixed Use Zone is:

13.1.1

To provide for a mix of residential, retail, community services and commercial activities in urban locations.

13.1.2

To provide for a diverse range of use or development that are of a type and scale that support and do not compromise or distort the role of surrounding activity centres in the activity centre hierarchy.

The zone, and the use or development allowed in the zone, can be integrated with the General Residential Zone through the use and development standards that have regard to the amenity of residential zones.

The zone also allows for residential use and development and therefore subdivision of the land for the purpose of creating residential lots is allowable. The size, location and design of the lots must be either consistent with the SAP Framework (the Precinct Plan) under the Acceptable Solution or compatible with the framework and a set of relevant criteria per the Performance Criteria.

Residential development within the Urban Mixed Use Zone is encouraged through the zone purpose statements of the SAP (together with the relevant subdivision standards). The standards of the SAP of course provide additions and substitutions for standards within the Urban Mixed Use Zone.

3.2 Scheme Amendment Supporting Documents

GHD recommend the following documents and plans be prepared as part of the suite of documents to support and initiate the planning scheme amendment per Section 40F and to commence the notice of exhibition per Section 40G of the Act:

1. South Brighton Development Precinct Plan, Revision G, July 2022
2. Planning Scheme Amendment Instrument for the Specific Area Plan and rezonings for certification by the Council.
3. A copy of this report outlining the framework and basis for the SAP and Precinct Development Plan.
4. A copy of the *South Brighton Master Plan – Community Engagement Summary*, April 2022, prepared by Brighton Council
5. A copy of the *South Brighton Infrastructure Feasibility and Master Plan Infrastructure Assessment*, December 2020, prepared by GHD
6. A copy of the *South Brighton Development Precinct Natural Values Assessment*, 18 March 2022, prepared by North Barker Ecosystem Services
7. A report prepared by the Brighton Council per Section 40F (1) together with the assessment criteria outlined under Section 34(2) and Section 32

4. Conclusion

This report has provided the framework for the recommended rezonings and scheme amendment to create a SAP for the South Brighton area. The rezonings and the SAP standards presented in the draft BRI -S11 South Brighton Specific Area Plan (Appendix A) are the most appropriate way to meaningfully implement a new master plan for the area.

This report should assist the Brighton Council with the next stage of the South Brighton Development Precinct Project through providing the basis of the draft standards for the SAP together with the basis and intent of the recommended rezonings.

The Brighton Council should amend or include an addendum to the existing *Key Infrastructure Investments and Defined Infrastructure Charges Policy, 2018* to further align the policy with the recommended Infrastructure Contribution standard provided in the draft SAP. The rezonings and the Specific Area Plan aims to achieve a high-quality urban environment that will integrate public open space, a new school, a new retail area, large greenfield development together with a network of landscaped roads, open space trails and attractive water management infrastructure. Existing landowners through the eventual provision of a sewer system will be able to subdivide (or further develop their land) in a way that enhances the overall area and should provide further opportunity for others to also develop.

Appendices

Appendix A

**DRAFT BRI -S11 South Brighton Specific
Area Plan**

Appendix A - DRAFT BRI -S11 South Brighton Specific Area Plan

BRI -S11 South Brighton Specific Area Plan

BRI-S11.1 Plan Purpose

The purpose of the South Brighton Specific Area Plan is:

BRI-S11.1.1	To implement the South Brighton Development Precinct Plan.
BRI-S11.1.2	To maximise and facilitate future development potential.
BRI-S11.1.3	To coordinate the provision of infrastructure and public open space.
BRI-S11.1.4	To create a safe and pleasant urban environment, through landscaping and connectivity between roads, the school and open spaces.
BRI-S11.1.5	To provide a range of lot sizes with higher density living on greenfield sites and in close proximity to open space and open space networks.
BRI-S11.1.6	To encourage connectivity between the east and west side of the Brighton Road and to further integrate the Hove Way commercial area with the overall Brighton township.
BRI-S11.1.7	To attract large scale retail development or bulky good sales to the Hove Way commercial area.

BRI-S11.2 Application of this Plan

BRI-S11.2.1	The specific area plan applies to the area of land designated as the South Brighton Specific Area Plan on the overlay maps and shown in Figure BRI-S11.1.
BRI-S11.2.2	In the area of land, that this plan applies to, the provisions of the specific area plan are in substitution for, and are in addition to the provisions of: (a) 8.0 General Residential Zone; (b) 13.0 Urban Mixed Use Zone as specified in the relevant provision.

BRI-S11.3 Local Area Objectives

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

BRI-S11.3 Definition of Terms

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

BRI-S11.5 Use Table

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

BRI-S11.6 Use Standards

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

BRI-S11.7 Development Standards for Buildings and Works

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

BRI-S11.8 Development Standards for Subdivision

BRI-S11.8.1 Subdivision in the General Residential Zone

This clause is a substitution for General Residential Zone - clause 8.6.1 Lot design A1 and P1 and A4 and P4, and clause 8.6.2 Roads.

Objective:	
New lots in the General Residential Zone are consistent with the purpose of the Specific Area Plan and the development framework.	
Acceptable Solutions	Performance Criteria
A1 The design and layout of lots (including lots proposed in a plan of subdivision), roads, public open space and pedestrian connections must be: a) No less than 300m ² ; and b) consistent with the development framework in Figure BRI-S11.2; and c) be able to contain a minimum area of 10m x 12m with a gradient not steeper than 1 in 5, clear of: i. all setbacks required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; and ii. easements or other title restrictions that limit or restrict development; and iii. existing buildings are consistent with the setback required by clause 8.4.2 A1, A2 and A3, and 8.5.1 A1 and A2; or d) be required for public use by the Crown, a council or a State authority; or e) be required for the provision of Utilities; or f) be for the consolidation of a lot with another lot provided each lot is within the same zone.	P1 The layout of lots, roads and pedestrian connections must be compatible with the purpose of the Specific Area Plan and the development framework in Figure BRI-S11.2 having regard to: a) the facilitation of high levels of vehicular and pedestrian connectivity in the subdivision and to open spaces and adjacent areas; b) the integration of landscaping into the road, pedestrian and open space network; c) avoid compromising the appropriate and reasonable future subdivision of the entirety of any balance lot or adjoining lot; d) any natural hazards or other site conditions that constrain future development; and e) any advice received from the road authority;

BRI-S11.8.2 Subdivision in the Urban Mixed Use Zone

This clause is a substitution for Urban Mixed Use Zone - clause 13.5.1 Lot design A1 and P1

Objective:	
New lots in the Urban Mixed Use Zone are: <ul style="list-style-type: none"> a) consistent with the purpose of the Specific Area Plan and the Development Framework; and b) encourage a mixture of large scale retail development on larger lots and residential development on smaller lots 	
Acceptable Solutions	Performance Criteria
A1 The design and layout of lots (including lots proposed in a plan of subdivision), roads, public open space and pedestrian connections must be <ul style="list-style-type: none"> a) No less than 300m²; and b) Consistent with the development framework in Figure BRI-S11.2; or c) be required for public use by the Crown, a council or a State authority; or d) be required for the provision of Utilities; or e) be for the consolidation of a lot with another lot provided each lot is within the same zone. 	P1 The layout of lots, roads and pedestrian connections must be compatible with the purpose of the Specific Area Plan and the development framework in Figure BRI-S11.2 having regard to: <ul style="list-style-type: none"> a) the facilitation of high levels of vehicular and pedestrian connectivity in the subdivision and to open spaces and adjacent areas; b) provide adequate parking and loading areas, including heavy vehicles, for commercial use; c) the integration of landscaping into the road, pedestrian and open space network; d) any natural hazards or other site conditions that constrain future development; and e) any advice received from the road authority;

BRI-S11.8.3 Landscaping

This sub-clause is in addition to General Residential Zone – Clause 8.6 Development Standards for Subdivision, Urban Mixed Use Zone – clause 13.5 Development Standards for Subdivision

Objective:	
To encourage safe and attractive landscaped roads and open space.	
Acceptable Solutions	Performance Criteria
A1 A new lot on a plan of subdivision does not require a new public road or include public open space.	P1 Subdivision to include the creation of new landscaped road reserve and open space that satisfy all of the following: <ul style="list-style-type: none"> a) In accordance with a landscape plan; that b) enhances the appearance of the streetscape development; c) provides a range of plant heights and forms to create diversity, interest and amenity;

	<ul style="list-style-type: none"> d) prevents the creation of concealed entrapment spaces; and e) excludes invasive weed species.
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BRI-S11.8.4 Infrastructure contribution

This clause is in addition to General Residential Zone - clause 8.6 Development Standards for Subdivision, Urban Mixed Use Zone – clause 13.5 Development Standards for Subdivision

Objective:	
To ensure that: <ul style="list-style-type: none"> a) Subdivision design provides for land, services and easements that will enable further land development in accordance with the Development Framework and purpose of the Specific Area Plan; and b) Developer contributions are made towards the cost and provision of Council infrastructure in accordance with the relevant Policy adopted by the Council. 	
Acceptable Solutions	Performance Criteria
A1 A new lot or lot on a plan of subdivision does not require an upgrade or provision of Council maintained infrastructure, other than access to a road and a stormwater connection.	P1 The provision of Council maintained infrastructure, including stormwater, footpath, road, streetlighting and landscaping must be provided by either: <ul style="list-style-type: none"> a) Entering an agreement under Part 5 – Section 71 of the Act, to be registered on the title, providing for the schedule of costs and developer contributions toward Council maintained infrastructure in accordance with the relevant Policy adopted by the Brighton Council; or b) Provision of infrastructure, to be taken over and maintained by the Council, including any necessary upgrades, is provided entirely at the developer’s expense.

Figure BRI-S11.1 The South Brighton Specific Area Plan Area



Figure BRI-S11.2 The South Brighton Specific Area Plan Development Framework



- DESIGN PRINCIPLES**
- Maximise passive surveillance by fronting new residential lots onto open space
 - Prioritise location of smallest lots adjacent to open space to provide convenient, usable outdoor space for smaller dwellings
 - Provide shared path links through new subdivision areas linking residential, to schools, medical, retail and town centre to promote healthier living through exercise
 - New areas of subdivision to align with existing cadastral boundaries to facilitate a staged approach to development

DRAWING KEY

- Residential Lots: approx 400 - 650sq.m
Opportunity for lots adjoining or adjacent open space and shared pathway link to be 300sq.m
- Greenfield site: Greenfield development area provides opportunity for lot sizes of 300sq.m
- Retail - Potential for large format retail with off street parking and landscape buffer
- Medical/Childcare - Potential site with strong pedestrian connections - 3800sq.m
- Existing Residential Lots
- Proposed Residential Lots
- Proposed Open Space
- Proposed Shared Path Links
- Potential pedestrian crossing location
- Potential bus stop locations

Appendix B

**South Brighton Development Precinct
Plan**



- ### DESIGN PRINCIPLES
- Maximise passive surveillance by fronting new residential lots onto open space
 - Prioritise location of smallest lots adjacent to open space to provide convenient, usable outdoor space for smaller dwellings
 - Provide shared path links through new subdivision areas linking residential, to schools, medical, retail and town centre to promote healthier living through exercise
 - New areas of subdivision to align with existing cadastral boundaries to facilitate a staged approach to development

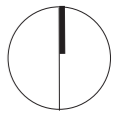
DRAWING KEY

- Residential Lots: approx 400 - 650sq.m**
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- Retail** - Potential for large format retail with off street parking and landscape buffer
- Medical/Childcare** - Potential site with strong pedestrian connections - 3800sq.m
- Proposed Shared Path Links
- Potential pedestrian crossing location
- Potential bus stop locations
- Existing Residential Lots
- Proposed Residential Lots
- Proposed Open Space

Potential location of sewer pumping station- requires 30m buffer to residential

Existing title boundaries shown in red. Potential to reconfigure titles and infill with new residential

Connection to Jordan River Trail





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