

DRAFT CITY PLAN

Objective Reference: A2627914
Reports and Attachments (Archives)

Attachment:

[1. State Interest assessment – changes to proposed City Plan following consultation – Stop the Clock outstanding matters](#)

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PURPOSE

The purpose of the report is to resolve Council's formal direction in relation to outstanding matters raised by the former Department of Infrastructure, Local Government and Planning (the Department) in its assessment of Council's responses to the stop the clock notice and request for further information on changes to the proposed Planning Scheme following public consultation.

BACKGROUND

Council at its meeting of 28 February 2017 resolved to make changes to the publicly notified version of draft City Plan and submitted the amended draft City Plan to the Planning Minister (the Minister) for approval to adopt.

Under the Statutory Guideline 01/16 Making and amending local planning instruments (MALPI), the Minister must be satisfied that the changes to the proposed planning scheme appropriately integrate the SEQ Regional Plan (SEQRP) and the State Planning Policy (SPP) and that the post-consultation version is not significantly different to the consultation version.

The former DILGP reviewed the changes to the proposed planning scheme following public consultation, and in May 2017, issued a 'stop the clock' notice and request for further information. The further information was provided to the Department in July 2017.

Following a review of the further information provided by Council, the Department on 25 September 2017 provided Council with a list of items requiring further action. The next step is for Council to confirm its formal direction in relation to these outstanding matters.

ISSUES

The Department is seeking Council's position in relation to these outstanding matters to finalise its brief to the Minister. As the proposed planning scheme submitted to the Minister reflects Council's resolved policy position, the possible options for Council's response are:

- 1) to advise the Department that it does not support any changes to the proposed planning scheme with regard to the outstanding matters identified by the Department;
- 2) to advise the Department that it supports some changes to the proposed planning scheme with regard to outstanding matters identified by the Department and identify those changes; or
- 3) to advise the Department that it supports all the changes to the proposed planning scheme with regard to outstanding matters identified by the Department.

Where Council does not support all the changes to the proposed planning scheme with regard to outstanding matters identified by the Department, the Minister may determine either that the changes made to the proposed planning scheme have not appropriately integrated a relevant State interest and apply conditions to the approval to adopt the proposed scheme or that the changes are significantly different to the publicly notified version of the planning scheme and that those further changes must be publicly notified.

Public notification would be required before the proposed planning scheme with the significantly different changes can be adopted and commence. Alternatively Council could progress the changes as part of a future amendment package following commencement of the planning scheme.

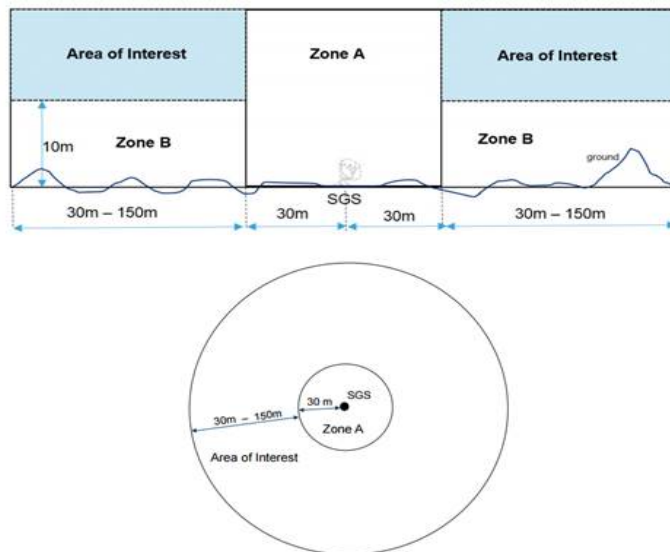
The matters contained in the Department's request of 25 September 2017 were workshopped by Councillors on 3-4 October 2017. **Attachment 1** includes these outstanding matters and the changes to the post consultation version of the proposed planning scheme. Changes are as summarised below:-

Mapping

- Amend the Environmental Significance Overlay Maps to incorporate the latest Matters of State Environmental Significance (MSES) data layers
- Amend the Coastal Protection (Erosion Prone Areas) Overlay Maps to incorporate the latest Coastal Management District mapping
- Amend the Regional Infrastructure Corridors and Substations Overlay Maps using the GIS data which is to be supplied by the State
- Amend the zoning of lot 600 on SP219225 (Reserve for Drainage) from the Low Density Residential Zone to the Recreation and Open Space Zone
- Condition removal of this proposed change, amending the proposed zoning of lot 4B Harbourview Court, Cleveland from the Principal Centre Zone to the Recreation and Open Space Zone

8.2.1 Airport Environs Overlay Code

- Amend 8.2.1 Airport Environs Overlay Code, Figure 8.2.1.3.3 – Birkdale satellite ground station building restriction area by replacing the diagram with the following diagram contained in the State Interest Guideline, which clarifies that development above 10m in Zone B is restricted,



5.10.1 Environmental significance overlay

- Amend Table 5.10.1 Environmental significance overlay for operational works involving clearing of native vegetation to clarify that self-assessable clearing where land contains a dwelling house only applies between 500m² and 2500m², with the inclusion of the additional words, '*and does not exceed 2500m²*'
- Include new Editor's Note referencing potential referral or approval under the Vegetation Management Act and Water Act

Editor's note – Referral or approval under the *Vegetation Management Act* and the *Water Act* may also be required

5.10.1 Waterway corridors and wetlands overlay

- Amend Editor's Note to replace potential referral or approval under the *Vegetation Management Act* with the *Sustainable Planning Act*

Editor's note - Referral or approval under the *Vegetation Management Act* ***Sustainable Planning Act 2009*** and the *Water Act 2000* may also be required

6.2.3 Medium Density Residential Zone Code

- Include provision to facilitate community titling

6.2.16 Medium Impact Industry Zone Code

- Amend Table 6.2.16.3 to include provisions in the Medium Impact Industry Zone Code regarding the handling and storage of prescribed hazardous

chemicals at the thresholds outlined in Schedule 11 of the Work Health and Safety Regulation

Environmental protection and public safety	
<p>PO17 Development does not involve the handling or storage of hazardous chemicals described in Schedule 11, table 11.1 of the Work Health and Safety Regulation 2011 at quantities that exceed the manifest quantity identified in column 5 of Schedule 11, table 11.1 of the Work Health and Safety Regulation 2011.</p>	<p>AO17.1 No acceptable outcome is nominated.</p>

8.2.4.3 Environmental significance overlay code

- Include new Editor's Note in Table 8.2.4.3 under PO1

Editor's note – See Planning scheme policy 1 – environmental significance for advice on achieving compliance with this outcome

Administrative correction

- Amend references to SEQ Water to Seqwater

Under MALPI, the Minister can decide to approve the proposed planning scheme for adoption, approve the proposed planning scheme for adoption subject to conditions, or to not approve the proposed planning scheme. Where the Minister is not sufficiently satisfied that the proposed planning scheme is not significantly different from the publicly consulted version or does not appropriately reflect the State Interests, the Minister can set conditions including the timeframe by which each condition must be met.

Council can submit an amended version of the draft City Plan to the Department incorporating supported changes prior to the Minister making his decision. While this could reduce the potential for the Minister to impose conditions, Council should be aware the State's mapping layers may further change.

STRATEGIC IMPLICATIONS

Legislative Requirements

As the proposed planning scheme was prepared under the *Sustainable Planning Act* and MALPI, Council must continue to follow the process set out in the legislative framework under which the draft planning scheme was prepared.

As part of the Minister's consideration of Council's request to proceed to adoption of the proposed planning scheme, a preliminary response has been provided from the Department to Council. In the preliminary response, the Department identified changes that they consider may be significantly different to the publicly consulted version of the planning scheme as well as changes made to the proposed planning scheme which may not have appropriately integrated a relevant State interest. In

addition, the Department has identified a change to the proposed planning scheme to correct an administrative error.

Council has been requested to provide a formal response to the Department's request for further information which will inform the Minister's decision. The Minister must consider the information supplied and write to Council advising it may adopt the proposed planning scheme (with or without conditions) and proceed to Stage 4 – Adoption, or that Council may not proceed with the proposed planning scheme.

Risk Management

The risk of not resolving to provide a formal response to the Department's request for further information is the delay to commencement of the new planning scheme.

Where Council does not support all the changes identified by the Department, the Minister may determine either that the changes in the proposed planning scheme have not appropriately integrated a relevant State interest and apply a condition to the approval to adopt the proposed scheme or that the changes are significantly different to the publicly notified version of the planning scheme and must be publicly notified. The notification would be required before the proposed planning scheme, as submitted, can be adopted and commence, or be addressed through a future amendment to the planning scheme following commencement.

Financial

No specific budget was allocated for the planning scheme project in 2017-18 as the proposed planning scheme was anticipated to commence on 3 July 2017 following Council's decision on 28 February 2017 to write to the Planning Minister seeking approval to adopt the proposed planning scheme. These changes can be accommodated.

People

Council has no dedicated human resources for the planning scheme project in 2017-18. The Group Manager, Economic Sustainability and Major Projects is responsible for the planning scheme project including finalising the proposed planning scheme for Ministerial approval and Council adoption and commencement. These changes can be accommodated.

Environmental

The proposed planning scheme addresses the relevant state environmental interests including utilising contemporary mapping of Redlands' natural values.

Social

The proposed planning scheme addresses the liveable communities and housing state interest with a planning horizon to 2041.

Alignment with Council's Policy and Plans

Providing a formal response to the DILGP's request for further information is aligned with and advances:

- Council's Corporate Plan Strategy 5.1: *Growth and development in the city is sustainably managed through the adoption and implementation of the Redland City Plan*; and

- Council's Operational Plan Outcome 5.1: *Commence the Redland City Plan.*

CONSULTATION

Consultation has taken place with relevant officers including from the City Planning and Assessment Group, Environment and Regulation Group and City Infrastructure Group in relation to matters raised by the Department during the review.

OPTIONS

Option 1

That Council resolves to advise the Department of State Development, Manufacturing, Infrastructure and Planning that it has considered the outstanding matters identified by the Department and supports some changes to the proposed planning scheme as set out in Attachment 1 (Supported changes to proposed planning scheme) but does not agree with the State's assessment on the remaining matters.

Option 2

That Council resolves to advise the Department of State Development, Manufacturing, Infrastructure and Planning that it has considered the outstanding matters identified by the Department and does not support any changes to the proposed planning scheme.

Option 3

That Council resolves to advise the Department of State Development, Manufacturing, Infrastructure and Planning that it has considered the outstanding matters identified by the Department and supports all changes to the proposed planning scheme.

OFFICER'S RECOMMENDATION

That Council resolves as follows:

- 1. Advise the Department of State Development, Manufacturing, Infrastructure and Planning that it has considered the outstanding matters identified by the Department and supports some changes to the proposed planning scheme but does not agree with the State's assessment on the remaining matters as set out in Attachment 1 (Supported changes to proposed planning scheme); and**
- 2. That this report and attachment remain confidential until the proposed Planning Scheme is approved by Council for adoption and commencement and the planning scheme commences.**

State Interest assessment – Redland City Council – Changes to proposed City plan following consultation – Stop the clock

Abbreviations:

SPA – Sustainable Planning Act 2009
 SPR – Sustainable Planning Regulation 2009
 PA – Planning Act 2016
 SEQ – South East Queensland
 SEQRP – South East Queensland Regional Plan 2009-2031
 SEQRP SPRP - South East Queensland Regional Plan 2009-2031: State Planning Regulatory Provisions
 Shaping SEQ – Draft South East Queensland Regional Plan October 2016
 SPP – State Planning Policy
 TLPI – Temporary Local Planning Instrument
 Proposed City plan – proposed Redlands City Plan (post consultation)
 Council - Redland City Council
 Department – Department of Infrastructure, Local Government and Planning
 DSDIP – Department of State Development, Infrastructure and Planning (former department)
 MSES – Matters of state environmental significances
 LGA – Local Government Area
 LDR zone - Low density residential zone
 LMDR zone – Low-medium density residential zone
 Precinct LDR1 – Low density residential zone - large lot precinct
 Precinct LDR2 – Low density residential zone - park residential precinct
 Precinct LDR3 – Low density residential zone - Point Lookout residential precinct
 Precinct LDR4 – Low density residential zone - Kinross Road precinct
 Precinct LMDR1 – Low-medium density residential zone - South East Thornlands

Recommended changes to the proposed City plan document

Comments	State Interest	State Assessment	Council Response	Supported changes to proposed Planning Scheme
<p>There appears to be a misalignment between Redlands MSES and State MSES of approximately 400ha. Some of this is due to updated vegetation mapping, but there is also current Regulated Vegetation that appears missed.</p> <p>It is noted that there may be some inconsistencies between the department's mapping system and mapping which is produced under other Acts (i.e. remnant vegetation mapping under the <i>Vegetation Management Act 1994</i>). The mapping under the City plan should identify what is defined as MSES, which means that the mapping referenced under the respective Acts should be used.</p>	<p>SPP <u>Biodiversity</u> (2) identify matters of state environmental significant.</p>	<p>Assessment: The proposed City plan has not properly integrated the MSES as defined under the SPP.</p> <p>Recommendation: It is requested that the council review and update the relevant overlays with the most up to date mapping to properly reflect MSES.</p>	<p>Council's initial response In preparing the Environmental Significance Overlay Council used the latest version of the Matters of State Environmental Significance v4.1. Council acknowledges recent advice that inaccuracies have arisen as some of the underlying datasets that inform the MSES package have been updated, and that the MSES v4.1 does not reflect these changes.</p> <p>However, given that the draft City Plan protects these additional areas through its zones (in the case of protected areas which are zoned Conservation), or through its locally refined Regional Ecosystem mapping (identified in the Matters of Local Environmental Significance layer), Council has fulfilled its obligations under the State Planning Policy to identify defined MSES, and</p>	<ul style="list-style-type: none"> Amend the Environmental Significance Overlay Maps to incorporate the latest Matters of State Environmental Significance (MSES) data layers

			<p>incorporate its protection into the planning scheme.</p> <p>State's interim response EHP is satisfied with MSES being included in conservation zones. While the planning scheme will protect the remaining MSES through it being identified as MLES, this approach is not appropriate as offsetting arrangements are different for MSES and MLES (i.e. the council may require an offset for MLES but cannot as it is identified as MSES). The additional MSES should be included as MSES rather than MLES in the Environmental Significance Overlay.</p> <p>Council's final response It is requested that the Minister place a condition requiring Council to update the overlay to reflect the most up to date MSES data layers.</p>	
<p>The 'Environmental Significance' Overlay appears to not include protected areas under the <i>Nature Conservation Act 1992</i>. Protected areas are MSES and therefore should be included in the overlay.</p>	<p>SPP <u>Biodiversity</u> (2) identify matters of state environmental significant.</p>		<p>As above.</p>	<p>As above.</p> <ul style="list-style-type: none"> Amend the Environmental Significance Overlay Maps to incorporate the latest Matters of State Environmental Significance (MSES) data layers
<p>The following lots on Russell Island are incorrectly located within the coastal management district of the proposed City plan when the State's mapping shows these properties outside of the coastal management district:</p> <ul style="list-style-type: none"> Lot 40 on RP135031 Lot 39 on RP135031 Lot 38 on RP135031 Lot 37 on RP135031 	<p>SPP <u>Coastal environment</u> (1) facilitating the protection of coastal processes and coastal resources.</p>	<p>Assessment The proposed City plan has not properly integrated the coastal management district overlay.</p> <p>Recommendation: It is requested that the council submit an amended version of the proposed City plan to update the relevant overlay to reflect the most up to date CMD mapping dated 3 February 2016.</p>	<p>Agreed and changes will be made. It is requested that the Minister place a condition requiring Council to update the overlay to reflect the most up to date CMD mapping.</p>	<ul style="list-style-type: none"> Amend the Coastal Protection (Erosion Prone Areas) Overlay Maps to incorporate the latest Coastal Management District mapping

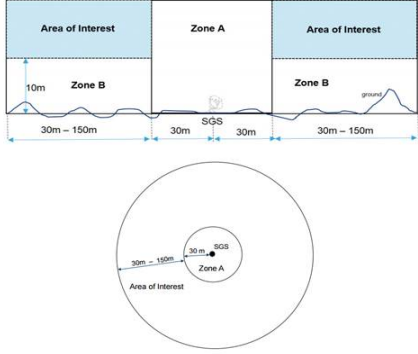
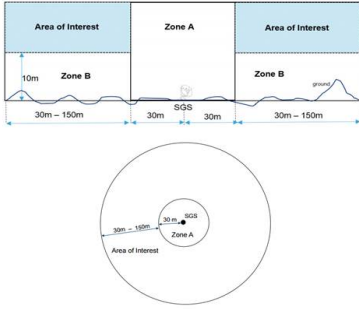
Comments not addressed in the first State interest review

Comments	State Interest	State Assessment	Council Response	Supported changes to proposed Planning Scheme																								
<p>The Regional infrastructure corridors and substations overlay maps (OM-017 and OM-018) currently identify the presence of the relevant 110kV electrical infrastructure however the easements (real property descriptions below) have not been included.</p> <table border="0" data-bbox="186 548 875 1234"> <tr> <td style="vertical-align: top;">Real Property Description</td> <td style="vertical-align: top;">Easement</td> </tr> <tr> <td>Lot 1 on SP228365</td> <td>Emt A on CP900470, Emt B on SP191080, Emt C on SP191080, Emt D on SP191080, Emt R on SP191080</td> </tr> <tr> <td>Lot 3 on SP107310</td> <td>Emt F on SP191082 & Emt G on SP191082</td> </tr> <tr> <td>Lot 5 on SP158691</td> <td>Emt E on SP191081</td> </tr> <tr> <td>Lot 2 on CP818900</td> <td>Emt H on SP191083</td> </tr> <tr> <td>Lot 117 on SP228365</td> <td>Emt J on SP186919</td> </tr> <tr> <td>Lot 11 on SP106594</td> <td>Emt L on SP186921</td> </tr> <tr> <td>Lot 12 on SP106594</td> <td>Emt K on SP186920</td> </tr> <tr> <td>Lot 1050 on SP228347</td> <td>Emt J on SP186919</td> </tr> <tr> <td>Lot 119 on SP228365</td> <td>Emt Q on SP191084</td> </tr> <tr> <td>Lot 113 on SP228365</td> <td>Emt Q on SP191084, Emt P on SP191084, Emt M on SP191804</td> </tr> <tr> <td>Lot 105 on SP228365</td> <td>Emt Q on SP191084, Emt N on SP191085</td> </tr> </table>	Real Property Description	Easement	Lot 1 on SP228365	Emt A on CP900470, Emt B on SP191080, Emt C on SP191080, Emt D on SP191080, Emt R on SP191080	Lot 3 on SP107310	Emt F on SP191082 & Emt G on SP191082	Lot 5 on SP158691	Emt E on SP191081	Lot 2 on CP818900	Emt H on SP191083	Lot 117 on SP228365	Emt J on SP186919	Lot 11 on SP106594	Emt L on SP186921	Lot 12 on SP106594	Emt K on SP186920	Lot 1050 on SP228347	Emt J on SP186919	Lot 119 on SP228365	Emt Q on SP191084	Lot 113 on SP228365	Emt Q on SP191084, Emt P on SP191084, Emt M on SP191804	Lot 105 on SP228365	Emt Q on SP191084, Emt N on SP191085	<p>SPP <u>Energy and water supply</u></p> <p>(1) considering the location of major electricity infrastructure and bulk water supply infrastructure.</p> <p>(2) protecting existing and approved further major electricity infrastructure location and corridors (including easements), electricity substations, and bulk water supply infrastructure location and corridor (including easement) from development that would comprise the corridor integrity, and the efficient deliver and functioning of the identified infrastructure.</p>	<p>Assessment</p> <p>The SPP State interest for energy requires the protection of electricity infrastructure locations and corridors. Energex has identified that not all energy easements have been identified.</p> <p>Whilst the SPP guidance material does not explicitly require that easements are mapped, the proposed City plan should demonstrate how the easements are protected from development that would compromise the corridor's integrity and efficient delivery and functioning of the infrastructure.</p> <p>Recommendation:</p> <p>It is requested that the council demonstrate how this State interest is achieved. Should the council be unable to provide sufficient justification, it is recommended that the proposed City plan be appropriately amended. This could include mapping changes, or changes to the provisions in the relevant codes to ensure the function of the easement is maintained.</p>	<p>Council's initial response</p> <p>Request made to Department to provide spatial data for the identified easements. Static mapping provided.</p> <p>A review of the mapping indicates that the easements are located on public-owned land, and therefore the risk associated with not mapping these easements appears to be negligible. In any case, the easements themselves identify and protect the infrastructure by their very nature.</p> <p>Additionally, to incorporate this information requires the easements to be provided as a spatial dataset to be incorporated into the GIS layer. No spatial data has been provided.</p> <p>State's interim response</p> <p>GIS mapping is currently being sought as a matter of priority and will be provided in due course.</p> <p>Council's final response</p> <p>Considering the State's position, it is requested that the Minister place a condition requiring Council to update the overlay to reflect the GIS data soon to be provided by the State.</p>	<ul style="list-style-type: none"> Amend the Regional Infrastructure Corridors and Substations Overlay Maps using the GIS data which <u>is to be supplied by the State</u>
Real Property Description	Easement																											
Lot 1 on SP228365	Emt A on CP900470, Emt B on SP191080, Emt C on SP191080, Emt D on SP191080, Emt R on SP191080																											
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<p>There appears to be administrative errors in the proposed City plan in how it refers to Seqwater and additionally the development guidelines are incorrectly referenced.</p>	<p>SPP <u>Energy and water supply</u></p> <p>(2) protecting existing and approved further major electricity infrastructure location and corridors (including easements), electricity substations, and bulk water supply infrastructure location and corridor (including easement) from development that would comprise the corridor integrity, and the efficient deliver and functioning of the identified infrastructure.</p> <p>(3) recognising the industrial nature of some bulk water infrastructure and electricity infrastructure such as pump station, water- quality facilities and electricity substations from</p>	<p>Assessment</p> <p>The proposed City plan contains administrative errors incorrectly referencing Seqwater and guidelines. This was provided as advice to the council however has not been amended.</p> <p>Recommendation:</p> <p>It is requested that the council submits an amended proposed City plan to correct the following administrative errors:</p> <ul style="list-style-type: none"> SEQ Water should be amended to Seqwater Update the reference to the development guideline from 'SEQ Water Guidelines: 	<p>Agreed and changes made.</p>	<ul style="list-style-type: none"> Amend references to SEQ Water to Seqwater 																								

	encroachment by sensitive land uses where possible.	Development Guidelines for Water Quality Management in Drinking Water Catchments' to 'Seqwater Guidelines – Development Guidelines for Water Quality Management in Drinking Water Catchments'.		
It is noted that a state land reserve, Lot 600 on SP219225, has been included in the LDR zone which does not reflect the purpose of the reserve or the current use of the reserve.	<p>SPP <u>Development and Construction</u> (5) considering the zoning of government land suitable for redevelopment opportunities to:</p> <p>(a) facilitate the development of the land, and</p> <p>(b) be based upon planning merit and the nature of surrounding land uses, rather than its current or past use.</p>	<p>Assessment Although this is not a zoning change, this State land reserve has been included in the LDR zone which does not reflect the purpose of the reserve (for drainage) or the current use of the reserve (for stormwater and drainage infrastructure that supports a drainage function for the wider community).</p> <p>Recommendation: It is requested that the council demonstrate how this State interest is achieved in this instance. Should the council be unable to provide sufficient justification, it is recommended that the zoning of this land be amended to more appropriately reflect its purpose and use.</p>	<p>Agreed and changes will be made. It is requested that the Minister place a condition requiring Council to update the zoning maps to reflect this change.</p>	<ul style="list-style-type: none"> Amend the zoning of lot 600 on SP219225 (Reserve for Drainage) from the Low Density Residential Zone to the Recreation and Open Space Zone

Changes to the proposed City plan document

Page no(s)	Detail of change	State Interest	State Assessment	Council Response	Supported changes to proposed Planning Scheme
Address new or changed planning circumstances or information					
Page 264 (Airport Environs Overlay)	<p>Summary Amend Figure 8.2.1.3.3 - Birkdale satellite ground station building restriction area to reflect amendment in AO4.2(3)(b).</p> <p>Change Amend Figure 8.2.1.3.3 - Birkdale satellite ground station building restriction area to clarify that development above 10m in Area B is restricted.</p>	<p>SPP <u>Strategic Airports and aviation facilities</u> (1) identifying strategic airports and aviation facilities, and associated obstacle limitation surface (OLS) or height restriction zone, public safety areas, lighting area buffer zones, wildlife hazard buffer zones, Australian Noise Exposure Forecast (ANEF) contours, and building restricted areas, and (2) facilitating development surrounding strategic airports that is compatible with, depends upon or gains significant economic advantage from being in proximity to a strategic airport, or</p>	<p>Assessment Although the shaded area in figure 8.2.1.3.3 correctly identifies the building restricted area, the diagram does not identify Area B in accordance with State interest guideline – Strategic airports and aviation facilities (June 2016) and may be confusing when compared to the birds eye view of the building restricted area represented in the overlay mapping.</p> <p>Recommendation It is requested that the council submit an amended version of the proposed City plan to replace figure 8.2.1.3.3 with the diagram found on page 41 of the State</p>	<p>Agreed and changes made.</p>	<p>8.2.1 Airport Environs Overlay Code</p> <ul style="list-style-type: none"> Amend Figure 8.2.1.3.3 – Birkdale satellite ground station building restriction area by replacing the diagram with the following diagram contained in the State Interest Guideline, which clarifies that development above 10m in Zone B is restricted

Page no(s)	Detail of change	State Interest	State Assessment	Council Response	Supported changes to proposed Planning Scheme
		<p>supports the airport's role as a freight and logistics hub, and</p> <p>(3) protecting strategic airports by ensuring:</p> <ul style="list-style-type: none"> (a) development and associated activities do not create incompatible intrusions or compromise aircraft safety in operational airspace, and (b) development avoids increasing risk to public safety in public safety areas, and (c) development mitigates adverse impacts of aircraft noise and is compatible with forecast levels of aircraft noise within the 20 ANEF contour or greater of strategic airports, and <p>(4) protecting aviation facilities by ensuring development and associated activities within building restricted</p>	<p>interest guideline – Strategic airports and aviation facilities (June 2016) (below), which delineates the building restricted zones more clearly. It is acceptable to shade Zone A as council have done.</p> 		
Address issues raised in a properly made submission					
<p>Pages 81 and 82 (Tables of assessment)</p>	<p>Summary</p> <p>The consultation version identified native vegetation clearing in the rural zone as assessable development only where the clearing exceeded 2500m².</p> <p>This proposed change to the level of assessment table for the Environmental significance overlay allows exempt clearing to occur threshold to below 500m², and includes a self-assessable option for clearing between 500m² and 2500m² where the site contains a dwelling house and compensatory planting is undertaken.</p> <p>In addition, any clearing of native vegetation mapped by the overlay on land within the Emerging Community Zone is subject to code assessment.</p>	<p>SPP</p> <p><u>Biodiversity</u></p> <ul style="list-style-type: none"> (3) locating development in areas that avoids significant adverse impacts on matters of state environmental significance (4) facilitating the protection and enhancement of matters of state environmental significance (5) maintaining or enhancing ecological connectivity (7) considering the protection of matters of local environmental significance, which may involve provisions for environmental offsets, provided those provisions are consistent with the Environmental Offsets Act 2014. 	<p>Assessment</p> <p>The proposed change has introduced a new level of assessment to capture native vegetation clearing in the rural area which was previously exempt. Whilst it is acknowledged this proposed change has added greater regulation for clearing vegetation, there is a concern that this proposed change may result in unforeseen clearing of MSES values that also exist within the remnant vegetation. It is understood this exemption is derived from both regulated vegetation clearing thresholds and native vegetation clearing thresholds under the Koala SPRP.</p> <p>Given that the SPP aims to avoid impacts on MSES, or if avoidance is not</p>	<p>Justification provided (refer below), and changes made to improve clarity:</p> <p>Self-assessable if clearing within:</p> <ul style="list-style-type: none"> (1) the rural zone on land that contains a dwelling house and the combined area of the proposed clearing and any clearing previously undertaken since commencement of the first version of this planning scheme exceeds 500m² and does not exceed 2500m² <p>This change clarifies that the self-assessable level of assessment only applies between 500m² and 2500m², and that the clearing becomes code assessable above 2500m² (which was the intent of the change made in response to submissions).</p> <p>For Editor's note: Agreed and changes made.</p>	<p>5.10.1 Environmental Significance Overlay</p> <ul style="list-style-type: none"> • Amend Table 5.10.1 Environmental Significance Overlay for operational works involving clearing of native vegetation to clarify that self-assessable clearing where land contains a dwelling house only applies between 500m² and 2500m², with the inclusion of the additional words, ' and does not exceed

Page no(s)	Detail of change	State Interest	State Assessment	Council Response	Supported changes to proposed Planning Scheme									
	<p>Change In Table 5.10.1 in relation to the Environmental Significance Overlay make the following changes:</p> <table border="1" data-bbox="335 373 902 1896"> <tr> <td data-bbox="335 373 513 1010">Operational work involving clearing of native vegetation</td> <td data-bbox="513 373 759 1010"> <p>Self-assessable if clearing within:</p> <p>(1) the rural zone on land that contains a dwelling house and the combined area of the proposed clearing and any clearing previously undertaken since the commencement of the first version of this planning scheme exceeds 500m²</p> </td> <td data-bbox="759 373 902 1010">Environmental significance overlay code</td> </tr> <tr> <td data-bbox="335 1010 513 1409">Note— Clearing for purposes mentioned in part 1 of schedule 24 of the Sustainable Planning Regulation 2009 is not made assessable by this planning scheme. Essential management, as defined in the Sustainable Planning Regulation 2009, is also not made assessable by this planning scheme.</td> <td data-bbox="513 1010 759 1409"> <p>Code assessable, if not self-assessable, if clearing within:</p> <p>(1) the emerging community, environmental management, low-medium density residential, medium density residential or tourist accommodation zones; or</p> </td> <td data-bbox="759 1010 902 1409">Environmental significance overlay code</td> </tr> <tr> <td data-bbox="335 1409 513 1896">Editor's note— "Urban area" is defined under the Sustainable Planning Regulation 2009. Refer also to section 1.7.3 of this planning scheme. Editor's note - Referral or</td> <td data-bbox="513 1409 759 1896"> <p>(2) within the conservation and recreation and open space zones, other than clearing undertaken by Redland City Council or on Council land and in accordance with a Council resolution; or</p> <p>(3) any other zone within the urban area and the</p> </td> <td data-bbox="759 1409 902 1896">Environmental significance overlay code</td> </tr> </table>	Operational work involving clearing of native vegetation	<p>Self-assessable if clearing within:</p> <p>(1) the rural zone on land that contains a dwelling house and the combined area of the proposed clearing and any clearing previously undertaken since the commencement of the first version of this planning scheme exceeds 500m²</p>	Environmental significance overlay code	Note— Clearing for purposes mentioned in part 1 of schedule 24 of the Sustainable Planning Regulation 2009 is not made assessable by this planning scheme. 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Editor's note - Referral or	<p>(2) within the conservation and recreation and open space zones, other than clearing undertaken by Redland City Council or on Council land and in accordance with a Council resolution; or</p> <p>(3) any other zone within the urban area and the</p>	Environmental significance overlay code		<p>reasonable, mitigate impacts to MSES, it is not clear if the self-assessable threshold has taken this into consideration.</p> <p>In addition, it is noted that the additional Editor's note (left) is not included in the track changes document and it references the incorrect assessable legislation for vegetation clearing.</p> <p>Recommendation It is requested that the council provide jurisdiction on how the proposed thresholds for the level of assessment change avoids the impacts on MSES in accordance with the SPP.</p> <p>In addition, it is requested that the council submit an amended version of the proposed City plan to include the following amended Editor's note:</p> <p>Editor's note - Referral or approval under the Vegetation Management Act Sustainable Planning Act 2009 and Water Act 2000 may also be required.</p>	<p><u>Justification for proposed thresholds:</u></p> <p>In the draft City Plan that was released for public notification in 2015, the proposed new triggers for Operational Works that is clearing of native vegetation made clearing of more than 2500m² assessable development in the rural zone. This applied equally to Matters of State Environmental Significance and Matters of Local Environmental Significance.</p> <p>This threshold for assessable vegetation clearing was established by investigating a number of case studies that looked at sample land uses in non-urban areas (e.g. dwellings and domestic uses). For each of these sample land uses the investigation looked at typical clearing that might be undertaken, taking into consideration the footprint of land use and associated activities and from that drew conclusions on the amount of cleared land required for those potential land uses. It also translates existing provisions in the current Redlands Planning Scheme (RPS) 2006, which identify an allowable cleared envelope area, based on zone.</p> <p>The 2500m² clearing threshold in the rural zone identified in the consultation version of draft City Plan was accepted at that time as meeting the relevant State interests.</p> <p>In response to submissions that raised concerns regarding the threshold of clearing that is not assessable, Council has strengthened the level of assessment, by introducing self-assessable provisions that require landholders to undertake compensatory planting. This threshold was modified to differentiate between a property that already contains a dwelling house, and vacant land. Therefore, Council nominated the 'self-assessable' minimum threshold to be consistent with the threshold in the urban area; 500m². The rationale in deciding that 500m² would be an appropriate exemption threshold for lots in urban areas (excluding those on environmental management, low-medium density residential, medium density residential, tourist</p>	<p>2500m²'</p> <ul style="list-style-type: none"> • Include new Editor's Note referencing potential referral or approval under the Vegetation Management Act and Water Act may be required <p><i>Editor's note – Referral or approval under the Vegetation Management Act and Water Act may also be required</i></p>
Operational work involving clearing of native vegetation	<p>Self-assessable if clearing within:</p> <p>(1) the rural zone on land that contains a dwelling house and the combined area of the proposed clearing and any clearing previously undertaken since the commencement of the first version of this planning scheme exceeds 500m²</p>	Environmental significance overlay code												
Note— Clearing for purposes mentioned in part 1 of schedule 24 of the Sustainable Planning Regulation 2009 is not made assessable by this planning scheme. Essential management, as defined in the Sustainable Planning Regulation 2009, is also not made assessable by this planning scheme.	<p>Code assessable, if not self-assessable, if clearing within:</p> <p>(1) the emerging community, environmental management, low-medium density residential, medium density residential or tourist accommodation zones; or</p>	Environmental significance overlay code												
Editor's note— "Urban area" is defined under the Sustainable Planning Regulation 2009. Refer also to section 1.7.3 of this planning scheme. Editor's note - Referral or	<p>(2) within the conservation and recreation and open space zones, other than clearing undertaken by Redland City Council or on Council land and in accordance with a Council resolution; or</p> <p>(3) any other zone within the urban area and the</p>	Environmental significance overlay code												

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	<p>approval under the Vegetation Management Act and Water Act may also be required.</p> <p>combined area of the proposed clearing and any clearing previously undertaken since the commencement of the first version of this planning scheme exceeds 500m²; or</p> <p>(4) within the community facilities zone (if outside the urban area) or the rural zone, and the combined area of the proposed clearing and any clearing previously undertaken since the commencement of the first version of this planning scheme exceeds 2,500m²; or</p> <p>(5) within the rural zone and the combined area of the proposed clearing and any clearing previously undertaken since the commencement of the first version of this planning scheme exceeds 2,500m²</p>			<p>accommodation, conservation and recreation and open space zones) was primarily intended to be consistent with the South East Queensland Koala Conservation State Planning Regulatory Provisions, which allows for clearing of native vegetation up to 500m². It was considered that the self-assessable threshold of 500m² to 2500m² reflected the different land uses undertaken on rural lots, as opposed to urban lots, and also considered that on larger rural lots there is more opportunity to undertake compensatory planting. On urban lots, once the expected land use (i.e. a dwelling house) is realised, there is limited land available to undertake any kind of compensatory planting onsite.</p> <p>This threshold achieves the intent of the framework set out by the State Planning Policy (July 2017). That is, impacts are:</p> <ul style="list-style-type: none"> - <u>avoided</u>, through the dis-incentive of making vegetation clearing self-assessable development and applying provisions to clearing above 500m²; - <u>minimised</u> by setting a threshold, which tolerates low level clearing for domestic purposes (500m²), and providing a dis-incentive to clear above this threshold; - <u>mitigated</u> by requiring onsite replanting where clearing is undertaken between 500-2500m². <p>The draft Planning Scheme Policy (released for public notification, which closed on Wednesday 24th May 2017) sets out how these self-assessable provisions will apply (refer to Attachment C – Planning Scheme Policy 1 Environmental Significance section 1.2). The PSP sets out suggested tree and shrub species (based on commonly occurring species in local Regional Ecosystems) and also sets out guidance for appropriate planting densities.</p> <p>With regard to the Editors Note, Council nominated the <i>Vegetation Management Act 1999</i> as it is the primary tool through which the clearing of native vegetation is regulated. However, Council concedes that as it is the <i>Sustainable</i></p>	

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				<p><i>Planning Act 2009</i> that defines vegetation clearing as Operational Work and sets out the assessment process (including referrals and approvals), and so it is more correct to refer to that Act in this Editor's Note.</p> <p>State's interim response The state acknowledges and accepts the council's justification and supports the additional clarification change made to the self-assessable level of assessment criteria.</p>							
<p>Pages 85 and 86 (Tables of assessment)</p>	<p>Summary Amend the table of assessment for the Waterway corridors and wetlands overlay so that any clearing of native vegetation mapped by the overlay on land also covered by the Environmental significance overlay is subject to code assessment.</p> <p>This change results in all native vegetation clearing identified by the environmental significance overlay and located within the waterways overlay being assessable development regardless of the underlying zoning.</p> <p>Change – Tables of Assessment In Table 5.10.1 in relation to the Waterway Corridors and Wetlands Overlay make the following changes:</p> <table border="1" data-bbox="350 1325 905 1894"> <tr> <td data-bbox="350 1325 528 1486">Operational work involving clearing of native vegetation</td> <td data-bbox="528 1325 727 1606">Code assessable if clearing vegetation in an area that is also within the environmental significance overlay.</td> <td data-bbox="727 1325 905 1705">Waterway corridors and wetlands code Environmental significance overlay code</td> </tr> <tr> <td data-bbox="350 1522 528 1894">Note— Clearing for purposes mentioned in part 1 of schedule 24 of the Sustainable Planning Regulation 2009 is not made</td> <td data-bbox="528 1648 727 1894">Note – While a clearing threshold may apply in some parts of the environmental significance overlay, this</td> <td></td> </tr> </table>	Operational work involving clearing of native vegetation	Code assessable if clearing vegetation in an area that is also within the environmental significance overlay.	Waterway corridors and wetlands code Environmental significance overlay code	Note— Clearing for purposes mentioned in part 1 of schedule 24 of the Sustainable Planning Regulation 2009 is not made	Note – While a clearing threshold may apply in some parts of the environmental significance overlay, this		<p>SPP</p> <p><u>Biodiversity</u></p> <p>(4) facilitating the protection and enhancement of matters of state environmental significance</p> <p>(5) maintaining or enhancing ecological connectivity</p> <p><u>Water quality</u></p> <p>(3) identifying land for urban or future urban purposes in areas which avoid or minimise the disturbance to natural drainage and acid sulfate soils, erosion risk, impact on groundwater and landscape features</p>	<p>Assessment</p> <p>This proposed change appears to improve protection of riparian vegetation (MSES values relating to where regional ecosystems intersect watercourses) by making areas mapped on both the Environmental significance overlay and Waterway corridor and wetland overlay, code assessable. As such the proposed change is supported.</p> <p>It is noted that the new Editor's note references the incorrect assessable legislation for vegetation clearing.</p> <p>Recommendation</p> <p>The proposed change is supported. However, it is requested the council should submit an amended version of the proposed City plan to include the following amended Editor's note:</p> <p>Editor's note - Referral or approval under the Vegetation Management Act Sustainable Planning Act 2009 and Water Act 2000 may also be required.</p>	<p>Agreed and changes made.</p>	<ul style="list-style-type: none"> Amend Editor's Note to replace potential referral or approval under the Vegetation Management Act Sustainable Planning Act 2009 and Water Act 2000 may also be required. <p>Editor's note - Referral or approval under the Vegetation Management Act Sustainable Planning Act 2009 and Water Act 2000 may also be required.</p>
Operational work involving clearing of native vegetation	Code assessable if clearing vegetation in an area that is also within the environmental significance overlay.	Waterway corridors and wetlands code Environmental significance overlay code									
Note— Clearing for purposes mentioned in part 1 of schedule 24 of the Sustainable Planning Regulation 2009 is not made	Note – While a clearing threshold may apply in some parts of the environmental significance overlay, this										



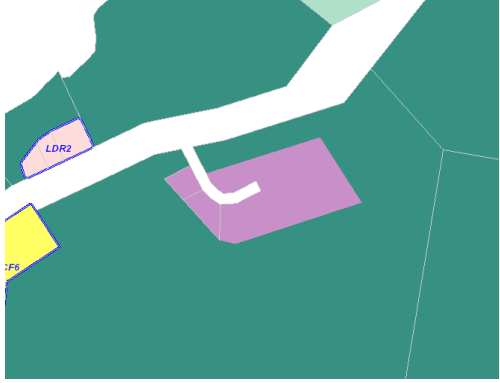
Page no(s)	Detail of change	State Interest	State Assessment	Council Response	Supported changes to proposed Planning Scheme
	<p>assessable by this planning scheme. Essential management, as defined in the Sustainable Planning Regulation 2009, is also not made assessable by this planning scheme.</p> <p>Editor's note— "Urban area" is defined under the Sustainable Planning Regulation 2009. Refer also to section 1.7.3 of this planning scheme.</p>	<p>trigger for code assessment means that if the land is also in the waterway corridors and wetlands overlay, any clearing will become assessable.</p> <p>Editor's note - Referral or approval under the Vegetation Management Act and Water Act may also be required.</p>			
	<p>Any other Operational work</p> <p>Editor's note— While this planning scheme does not trigger assessment of vegetation clearing in this overlay, approval may be required where the site falls within the environmental significance overlay or under the Vegetation Management Act.</p>	<p>No change to assessment level</p>	<p>Waterway corridors and wetlands code where the development is assessable under the table of assessment for operational work</p> <p>Note—This overlay code is not applicable to self-assessable development.</p>		

Page no(s)	Detail of change	State Interest	State Assessment	Council Response	Supported changes to proposed Planning Scheme						
Page 88 and 96 (LDR zone code)	<p>Summary Identify the minimum lot size of 400m² in the overall outcome and performance and acceptable outcomes of the LDR zone code.</p> <p>Change In section 6.2.1.2 insert the following: (c) where not within a particular precinct, lot sizes are not reduced below 400m²;</p> <p>In table 6.2.1.3.1 insert the following additional performance and acceptable outcomes:</p> <table border="1"> <thead> <tr> <th colspan="2">Reconfiguration other than in the LDR1, LDR2 or LDR4 precinct</th> </tr> </thead> <tbody> <tr> <td>PO15</td> <td>AO15.1</td> </tr> <tr> <td>Reconfiguration maintains the low density character of the street. Lots less than 400m² are not created.</td> <td>Reconfiguration achieves a minimum lot size of 400m².</td> </tr> </tbody> </table>	Reconfiguration other than in the LDR1, LDR2 or LDR4 precinct		PO15	AO15.1	Reconfiguration maintains the low density character of the street. Lots less than 400m ² are not created.	Reconfiguration achieves a minimum lot size of 400m ² .	<p>SPP <u>Housing supply and diversity</u> (2) facilitating a diverse and comprehensive range of housing options that cater for the current and projected demographic, economic and social profile of the local government area (3) providing for best-practice, innovative and adaptable housing design</p> <p><u>Liveable Communities</u> (1) providing for quality urban design that reflects and enhances local character and community identity by: (a) including principles that promote attractive, adaptable and accessible built environments and enhance personal safety and security, and (b) considering local character and historic features that support community identity, while promoting appropriate innovation and adaptive re-use that is compatible and sensitive to the local character and historic context.</p> <p>SEQRP <u>Redland - Residential</u> By 2031, approximately 21 000 additional dwellings will be required to meet Redland's expected population growth and demographic change. Infill and redevelopment in existing urban areas will accommodate approximately 15 000 additional dwellings, and the development of the remaining supply of broadhectare land within the Urban Footprint will accommodate the remaining dwellings. <u>DRO 8.1 – Compact Development</u> Conserve land by making the most efficient use of land allocated for urban</p>	<p>Assessment This proposed change has created a stronger bounded assessment and 'line-of-sight' for subdivision in this precinct by uniformly reflecting the minimum lot size throughout the proposed City plan. This has been a specific policy position made by the council to provide greater certainty to the community and industry regarding the expectation of lot. It is noted that this change does not alter the minimum lot size for the LDR in the reconfiguring a lot code. However, by including minimum lot sizes in the purpose of zones, together with the highly prescriptive nature of the wording for the performance outcomes; it limits the ability for performance assessment and acts to prohibit smaller subdivisions in limited circumstances where there is merit. This proposed change will therefore result in a 'prohibition by stealth' and as such it does not align with the performance base outcome objectives of Queensland's planning system. Furthermore, it is unknown how reconfiguring a lot for community title schemes for existing Attached and Detached dwellings will be considered given their size is generally less than 400m².</p> <p>Recommendation It is requested the council submits an amended proposed City plan to allow for a performance based solution in relation to lot sizes for LDR in the LDR zone code. In addition, the council should consider whether alternative measures should be incorporated for reconfiguring a lot development for community title</p>	<p>Council's interim response Under MALPI 01/16 step 8.1(d) the State government's review is to determine whether the planning scheme achieves the purpose of SPA (sections 5, 6 & 7 of SPA) and the key elements of a planning scheme (section 88 of SPA). Performance-based planning is not mentioned in any of the referenced sections of the Act. The Department has delivered information to the community to explain the Queensland planning process that focuses on providing certainty of outcomes at the neighbourhood and site level. This results in an expectation from the community that Council will accord with this State-led message, which Council has done in this circumstance in relation to minimum lot sizes in residential zones. This is probably best expressed through this Youtube clip from DILGP: https://www.youtube.com/watch?v=f6uGYPLtYn0 The change is a specific policy position that the Council has reached in response to a significant number of submissions objecting to small lots in existing urban areas (refer significantly different justification document for more details). It has been a key message that Council has delivered to the community; that it will seek to provide more certainty of outcomes for existing residential areas, so that character and amenity is protected and residents have a clearer understanding of what type and scale of development they can expect in their neighbourhood. It is understood that there is a concern that having no alternative path to seek a smaller lot size can impact on Redland City's ability to achieve housing choice and allow flexibility for alternative design responses that meet changing needs. In this regard, it is recognised that there is an alternative path via a preliminary approval overriding the planning scheme that seeks to establish its own plan of development, outlining alternative lot size criteria. While this will likely only be an available option for large subdivisions that have the ability to justify the preliminary approval on a needs basis, this is delivering the</p>	<p>Not supported Council notes but does not agree with State's assessment</p>
Reconfiguration other than in the LDR1, LDR2 or LDR4 precinct											
PO15	AO15.1										
Reconfiguration maintains the low density character of the street. Lots less than 400m ² are not created.	Reconfiguration achieves a minimum lot size of 400m ² .										

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		<p>development.</p> <p><u>DRO 8.5 – Housing choice and affordability</u></p> <p>Provide a variety of housing options to meet diverse community needs, and achieve housing choice and affordability.</p>	<p>schemes that are associated with existing Attached and Detached dwellings.</p>	<p>flexibility to respond to changing needs.</p> <p>In relation to the impact on community title schemes, it is recognised that the LDR zone is intended for dwelling houses and dual occupancies and therefore there are very few multiple dwelling product in this zone that would be affected.</p> <p>State's interim response</p> <p>The state is still reviewing the council's response to determine a position. However, it is noted that the state still has concerns with the overly prescriptive nature of the changes and would recommend the council consider accommodating some flexibility as part of the drafting principles under the SPP, which could include:</p> <ol style="list-style-type: none"> 1. an impact assessment option for those development application's that do not meet the minimum lot size similar to the Brisbane City Plan 2014 (version 06.00/17 which commenced on 19 May 2017), Gold Coast City Plan (version 3 which commenced on 17 May 2016) or Sunshine Coast Planning Scheme 2014 (version 8 which commenced on 27 February 2017) – see Attachment 2 - review of the minimum lot size regulation across other planning schemes; or 2. flexibility in the overall outcome similar to Moreton Bay Regional Council (version 1.0 which commenced on 20 June 2016): <ul style="list-style-type: none"> • <i>...unless the resultant lots are consistent with the density and character of the surrounding established neighbourhood.</i> <p>Council's final response</p> <p>The State's position is noted. Should a condition be imposed along the lines of the options outlined above, Council's preference is for Option 2.</p>	
<p>Pages 103 and 111 (LMDR zone code)</p>	<p>Summary</p> <p>Identify a minimum lot size of 400m² and minimum frontage of 10m in the performance and overall outcomes of the LMDR zone code.</p>	<p>SPP</p> <p><u>Housing supply and diversity</u></p> <p>(2) facilitating a diverse and comprehensive range of housing</p>	<p>Assessment</p> <p>This proposed change has created a stronger bounded assessment and 'line-of-sight' for subdivision in this precinct</p>	<p>Council's interim response</p> <p>Refer comments in relation to the LDR zone minimum lot size.</p>	<p>Not supported</p> <p>Council notes but does not agree with State's</p>

Page no(s)	Detail of change	State Interest	State Assessment	Council Response	Supported changes to proposed Planning Scheme assessment				
	<p>Change</p> <p>In section 6.2.2.2 make the following changes: (c) lot sizes are not reduced below 400m² and have a frontage width of no less than 10m.</p> <p>In Table 6.2.2.3.1 make the following changes:</p> <table border="1" data-bbox="335 531 887 842"> <thead> <tr> <th colspan="2" data-bbox="335 531 887 562">Reconfiguration</th> </tr> </thead> <tbody> <tr> <td data-bbox="335 562 670 842"> PO22 Lots less than 400m² and with a frontage width less than 10m are not created. </td> <td data-bbox="670 562 887 842"> AO22.1 Reconfiguration achieves a minimum lot size of 400m² and a minimum frontage width of 10m. </td> </tr> </tbody> </table>	Reconfiguration		PO22 Lots less than 400m ² and with a frontage width less than 10m are not created.	AO22.1 Reconfiguration achieves a minimum lot size of 400m ² and a minimum frontage width of 10m.	<p>options that cater for the current and projected demographic, economic and social profile of the local government area</p> <p>(3) providing for best-practice, innovative and adaptable housing design</p> <p><u>Liveable Communities</u></p> <p>(1) providing for quality urban design that reflects and enhances local character and community identity by:</p> <p>(a) including principles that promote attractive, adaptable and accessible built environments and enhance personal safety and security, and</p> <p>(b) considering local character and historic features that support community identity, while promoting appropriate innovation and adaptive re-use that is compatible and sensitive to the local character and historic context.</p> <p>SEQRP</p> <p><u>Redland - Residential</u></p> <p>By 2031, approximately 21 000 additional dwellings will be required to meet Redland's expected population growth and demographic change.</p> <p>Infill and redevelopment in existing urban areas will accommodate approximately 15 000 additional dwellings, and the development of the remaining supply of broadhectare land within the Urban Footprint will accommodate the remaining dwellings.</p> <p><u>DRO 8.1 – Compact Development</u></p> <p>Conserve land by making the most efficient use of land allocated for urban development.</p> <p><u>DRO 8.5 – Housing choice and affordability</u></p> <p>Provide a variety of housing options to meet diverse community needs, and</p>	<p>by uniformly reflecting the minimum lot size throughout the proposed City plan. This has been a specific policy position made by the council to provide greater certainty to the community and industry regarding the expectation of lot sizes. It is noted that this proposed change does not alter the minimum lot size for the LMDR in the reconfiguring a lot code.</p> <p>However, by including minimum lot sizes in the purpose of zones, together with the highly prescriptive nature of the wording for the performance outcomes; it limits the ability for performance assessment and acts to prohibit smaller subdivisions in limited circumstances where there is merit. This proposed change will therefore result in a 'prohibition by stealth' and as such it does not align with the performance base outcome objectives of Queensland's planning system.</p> <p>Furthermore, it is unknown how reconfiguring a lot for community title schemes for existing Attached and Detached dwellings will be considered given their size is generally less than 400m².</p> <p>Recommendation</p> <p>It is requested the council submits an amended proposed City plan to allow for a performance based solution in relation to lot sizes in the LMDR zone.</p> <p>In addition, the council should consider whether alternative measures should be incorporated for reconfiguring a lot development for community title schemes that are associated with existing Attached and Detached dwellings.</p>	<p>It is recognised that the LMDR zone is intended to provide multiple dwellings and that the inclusion of the minimum 400m² lot size within the overall outcome will preclude these sites being subdivided by standard format with a community management scheme. Subdivision by building format will still be an option, as this is exempt under the <i>Sustainable Planning Regulation</i> (and associated provisions in the <i>Planning Act 2016</i>).</p> <p>State's interim response</p> <p>The state is still reviewing the council's response to determine a position., it is noted that the state still has concerns with the prescriptive nature of the changes and would recommend the council consider accommodating a performance based solution as part of the drafting principles under the SPP, which could include:</p> <ol style="list-style-type: none"> 1. an impact assessment option for those development application's that do not meet the minimum lot size similar to the Brisbane City Plan 2014 (version 06.00/17 which commenced on 19 May 2017), Gold Coast City Plan (version 3 which commenced on 17 May 2016) or Sunshine Coast Planning Scheme 2014 (version 8 which commenced on 27 February 2017) – see Attachment 2 - review of the minimum lot size regulation across other planning schemes;; or 2. flexibility in the overall outcome similar to Moreton Bay Regional Council (version 1.0 which commenced on 20 June 2016): <ul style="list-style-type: none"> • ...unless the resultant lots are consistent with the density and character of the surrounding established neighbourhood. <p>Council's final response</p> <p>The State's position is noted. Should a condition be imposed along the lines of the options outlined above, Council's preference is for Option 2.</p>	
Reconfiguration									
PO22 Lots less than 400m ² and with a frontage width less than 10m are not created.	AO22.1 Reconfiguration achieves a minimum lot size of 400m ² and a minimum frontage width of 10m.								

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		achieve housing choice and affordability.							
Pages 119 and 144 (MDR zone code)	<p>Summary Identify the minimum lot size of 800m² in the performance and overall outcomes of the MDR zone code.</p> <p>Change In section 6.2.3.2 insert the following: (c) lot sizes are not reduced below 800m²;</p> <p>In Table 6.2.3.3.1 make the following changes:</p> <table border="1"> <thead> <tr> <th colspan="2">Reconfiguration</th> </tr> </thead> <tbody> <tr> <td>PO24 Reconfiguration creates lots that are of a size that can accommodate medium density residential development in a form that meets the intentions of this zone. Lots less than 800m² are not created.</td> <td>AO24.1 Reconfiguration achieves a minimum lot size of 800m².</td> </tr> </tbody> </table>	Reconfiguration		PO24 Reconfiguration creates lots that are of a size that can accommodate medium density residential development in a form that meets the intentions of this zone. Lots less than 800m ² are not created.	AO24.1 Reconfiguration achieves a minimum lot size of 800m ² .	<p>SPP <u>Housing supply and diversity</u> (2) facilitating a diverse and comprehensive range of housing options that cater for the current and projected demographic, economic and social profile of the local government area (3) providing for best-practice, innovative and adaptable housing design</p> <p><u>Liveable Communities</u> (1) providing for quality urban design that reflects and enhances local character and community identity by: (a) including principles that promote attractive, adaptable and accessible built environments and enhance personal safety and security, and (b) considering local character and historic features that support community identity, while promoting appropriate innovation and adaptive re-use that is compatible and sensitive to the local character and historic context.</p> <p>SEQRP <u>Redland - Residential</u> By 2031, approximately 21 000 additional dwellings will be required to meet Redland's expected population growth and demographic change. Infill and redevelopment in existing urban areas will accommodate approximately 15 000 additional dwellings, and the development of the remaining supply of broadhectare land within the Urban Footprint will accommodate the remaining dwellings. <u>DRO 8.1 – Compact Development</u> Conserve land by making the most</p>	<p>Assessment This proposed change has created a stronger bounded assessment and 'line-of-sight' for subdivision in this precinct by uniformly reflecting the minimum lot size throughout the proposed City plan. This has been a specific policy position made by the council to provide greater certainty to the community and industry regarding the expectation of lot sizes. It is noted that this proposed change does not alter the minimum lot size for the MDR in the reconfiguring a lot code.</p> <p>However, by including minimum lot sizes in the purpose of zones, together with the highly prescriptive nature of the wording for the performance outcomes; it limits the ability for performance assessment and acts to prohibit smaller subdivisions in limited circumstances where there is merit. This proposed change will therefore result in a 'prohibition by stealth' and as such it does not align with the performance base outcome objectives of Queensland's planning system.</p> <p>Furthermore, it is unknown how reconfiguring a lot for community title schemes for existing Attached and Detached dwellings will be considered given their size is generally less than 400m².</p> <p>Recommendation It is requested the council submits an amended proposed City plan to allow for a performance based solution in relation to lot sizes in the MDR zone code.</p> <p>In addition, the council should consider whether alternative measures should be incorporated for reconfiguring a lot development for community title</p>	<p>Council's interim response Refer comments in relation to the LDR zone minimum lot size.</p> <p>It is recognised that the MDR zone is intended to provide multiple dwellings and that the inclusion of the minimum 800m² lot size within the overall outcome will preclude these sites being subdivided by standard format with a community management scheme. Subdivision by building format will still be an option, as this is exempt under the <i>Sustainable Planning Regulation</i> (and associated provisions in the <i>Planning Act 2016</i>).</p> <p>State's interim response The state is still reviewing council's response to determine a position. However, it is noted that the state still has concerns with the overly prescriptive nature of the changes and would recommend the council consider accommodating some flexibility as part of the drafting principles under the SPP, which could include:</p> <ol style="list-style-type: none"> an impact assessment option for those development application's that do not meet the minimum lot size similar to the Brisbane City Plan 2014 (version 06.00/17 which commenced on 19 May 2017), Gold Coast City Plan (version 3 which commenced on 17 May 2016) or Sunshine Coast Planning Scheme 2014 (version 8 which commenced on 27 February 2017) – see Attachment 2 - review of the minimum lot size regulation across other planning schemes; or flexibility in the overall outcome similar to Moreton Bay Regional Council (version 1.0 which commenced on 20 June 2016): <ul style="list-style-type: none"> ...unless the resultant lots are consistent with the density and character of the surrounding established neighbourhood. <p>Council's final response The State's position is noted. Should a condition</p>	<ul style="list-style-type: none"> Include provision to facilitate community titling
Reconfiguration									
PO24 Reconfiguration creates lots that are of a size that can accommodate medium density residential development in a form that meets the intentions of this zone. Lots less than 800m ² are not created.	AO24.1 Reconfiguration achieves a minimum lot size of 800m ² .								

Page no(s)	Detail of change	State Interest	State Assessment	Council Response	Supported changes to proposed Planning Scheme
		<p>efficient use of land allocated for urban development.</p> <p><u>DRO 8.5 – Housing choice and affordability</u></p> <p>Provide a variety of housing options to meet diverse community needs, and achieve housing choice and affordability.</p>	<p>schemes that are associated with existing Attached and Detached dwellings.</p>	<p>be imposed along the lines of the options outlined above, Council's preference is for Option 2.</p>	
<p>Page 224 (Medium impact industry zone code)</p>	<p>Summary That the proposed City plan be amended to recognise that locally-servicing medium and high impact industry may be appropriate in the Medium impact industry zone, where impacts are appropriately managed.</p> <p>Change – Medium Impact Industry Zone Code In section 6.2.16.2 insert the following overall outcome:</p> <p>(b) High impact industries which service the Redland community may occur, where impacts can be mitigated and managed so they are not substantially greater than medium intensity industry activities;</p>	<p>SPP <u>Natural hazards, risk and resilience</u> (3) protecting the following existing and approved land uses or areas from encroachment by development that would compromise the ability of the land use to function safely and effectively:</p> <p>(a) medium impact, high impact, extractive, and noxious and hazardous industries,</p>	<p>Assessment The proposed change incorporates High impact industries within the Medium impact industry zone. Whilst it is acknowledged that risk management can reduce the risk to the community of the hazard, the wording used to regulate, the definition of High impact industries in the Medium impact industry zone is broad and subjective. As such, the proposed change fails to recognise the inherent risk associated with High impact industries and consequences associated with failure of such industries, regardless of risk mitigation i.e. the consequence from an incident at a high impact industry cannot be changed hence the need to locate the industry suitably. The nature of a high impact industry means that it should be suitably located so that the worst case credible incident which could occur at the facility will not impact upon sensitive land uses.</p> <p>Consideration should be given to the use of the word “intensity” in the same statement on Page 224 “(b) High impact industries which service the Redland community may occur, where impacts can be mitigated and managed so they are not substantially greater than medium intensity industry activities”. It is recommended that the term be checked as “medium intensity industry should probably read medium impact industry.</p>	<p>Council's initial response Redland City has three Medium Impact Industry zones at Cleveland, Redland Bay and Dunwich.</p> <p>Cleveland:</p>  <p>Redland Bay:</p>  <p>Dunwich:</p> 	<ul style="list-style-type: none"> Amend Table 6.2.16.3 to include provisions in the Medium Impact Industry Zone Code regarding the handling and storage of prescribed hazardous chemicals at the thresholds outlined in Schedule 11 of the Work Health and Safety Regulation <p>Environmental protection and public safety</p> <p>PO17 Development does not involve the handling or storage of hazardous chemicals described in Schedule 11, table 11.1 of the Work Health and Safety Regulation 2011 at quantities that exceed the manifest quantity identified in column 5 of Schedule 11, table 11.1 of the Work Health and Safety Regulation 2011.</p> <p>AO17.1 No acceptable outcome is nominated.</p>

Page no(s)	Detail of change	State Interest	State Assessment	Council Response	Supported changes to proposed Planning Scheme
			<p>Recommendation</p> <p>High impact industries should be treated separately to medium impact industries and should not be deemed as medium impact industry zoning. It is preferable to clearly declare a zoning providing for the high impact industry that ensures appropriate separation is achieved to prevent encroachment from or onto sensitive land uses.</p> <p>It is requested that the council provide justification as to why High impact industry land uses should be included in the Medium impact industry zone.</p> <p>Review terminology from “Medium intensity industry activities” to “medium impact industry”, to align with QPP and SPP terminology.</p>	<p>These industrial precincts are generally well-buffered from residential areas. The smallest buffer exists at the interface between the southern side of the Cleveland industrial estate (on South Street) and the residential estate to the south. However, it is recognised that the lots along this interface are smaller in size to facilitate less intense industry and are already developed with industrial buildings.</p> <p>No high impact industry zones exist in Redland City and at this stage there is no need for this zone.</p> <p>The introduction of the reference to high impact industry in the overall outcomes in the medium impact industry zone is to facilitate uses that are necessary in the City, such as concrete batching plants, but are defined under QPP as “high impact industry”. It is emphasised that high impact industry is not the highest level of industrial classification, and the noxious industries are defined as “Special industry” and are not intended in this zone.</p> <p>Impacts from any proposed industry in this zone is managed through the performance outcomes, in particular PO5 and PO17 in the medium impact industry zone code. These POs are considered to be sufficient to ensure that off-site impacts are appropriately managed.</p> <p>In relation to change in terminology to medium “impact” industry – Agreed and changes made.</p> <p>State’s interim response</p> <p>The state agrees with the council’s assessment however the concern relates to the handling or storage of hazardous chemical with respect to High impact industry land uses and the close proximity of sensitive receptive. As such, the state request’s that the council consider including greater rigour around chemical hazards such as thresholds.</p>	

Page no(s)	Detail of change	State Interest	State Assessment	Council Response	Supported changes to proposed Planning Scheme						
				<p>For example, the council may consider amending the Overall Outcome to exclude High impact industries that the handle or store hazardous chemical and/or includes a new Performance Outcome and Acceptable solution that precludes the handling or storage of the hazardous chemical threshold amount prescribed in Schedule 11, table 11.1, column 5 of the Planning Regulations 2017 where it is located at least 500 meters from any sensitive land use.</p> <p>Council's final response</p> <p>Council agrees with the proposed approach to include provisions in the Medium impact industry zone code regarding the handling or storage of prescribed hazardous chemicals at the thresholds outlined in Schedule 11 of the Work Health and Safety Regulation.</p> <p>Agreed and changes made.</p>							
<p>Page 276 (Environmental significance overlay code)</p>	<p>Summary</p> <p>Amend the table of assessment for the Environmental significance overlay so that clearing of between 500m² and 2500m² of native vegetation in the Rural Zone on land that contains a dwelling house is self-assessable. The self-assessment criterion is equivalent compensatory planting at an area to area rate.</p> <p>Change – Environmental significance overlay code</p> <p>Table 8.2.4.3.1 be amended as follows:</p> <table border="1" data-bbox="350 1539 902 1887"> <thead> <tr> <th data-bbox="350 1539 602 1612">Performance Outcome</th> <th data-bbox="602 1539 902 1612">Acceptable Outcomes</th> </tr> </thead> <tbody> <tr> <td colspan="2" data-bbox="350 1612 902 1644">For self-assessable development</td> </tr> <tr> <td data-bbox="350 1644 602 1887"> PO1 Development does not result in significant reduction in the level or condition of biodiversity and </td> <td data-bbox="602 1644 902 1887"> AO1.1 Where equivalent compensatory planting is undertaken on-site that is equal in area to the area of vegetation cleared. </td> </tr> </tbody> </table>	Performance Outcome	Acceptable Outcomes	For self-assessable development		PO1 Development does not result in significant reduction in the level or condition of biodiversity and	AO1.1 Where equivalent compensatory planting is undertaken on-site that is equal in area to the area of vegetation cleared.	<p>SPP</p> <p><u>Biodiversity</u></p> <p>(3) locating development in areas that avoids significant adverse impacts on matters of state environmental significance</p> <p>(4) facilitating the protection and enhancement of matters of state environmental significance</p> <p>(5) maintaining or enhancing ecological connectivity</p> <p>Draft SPP</p> <p>(2) is located in areas that avoid adverse impacts on matters of state environmental significance; or</p> <p>(3) minimises and mitigates impacts, where they cannot be reasonably avoided.</p> <p>(4) identified matters of local environmental significance are protected.</p> <p>(5) ecological processes and connectivity</p>	<p>Assessment</p> <p>The SPP requires development to avoid matters of environmental significance and if this is not possible, mitigate impacts. This requirement should be reflected in the Environmental overlay code, both assessable and self-assessable.</p> <p>Self-assessable development under the City plan only has to comply with a single performance outcome of the Environmental significance overlay code. This performance outcome is strong and the assessable outcome should reflect the strong requirement to avoid impacts.</p> <p>In addition, the State prefers a broader outcome which requires revegetation (policy 4). Compensatory planting is only one option of revegetation, and can lead to non-endemic subspecies being introduced. Another is through native</p>	<p>Council received 3160 submissions relating to clearing in the rural zone. While submissions were generally supportive of regulating vegetation clearing through the City Plan, most expressed concern about the extent of clearing that could still be undertaken. In the rural part of the City, submitters were concerned about the thresholds for exempt vegetation clearing provided for in the levels of assessment (2500m² in the Rural zone).</p> <p>Nearly all of these 3160 were proforma submissions (produced by a local interest group). Refer to Attachment F - sample CARP proforma.</p> <p>Officers recommended to Council that, in response to this issue, the thresholds be modified to differentiate between a property that already contains a dwelling house, and vacant land. Council nominated to introduce a self-assessable threshold. This threshold achieves the intent of the framework set out by the State Planning Policy (July 2017). That is, impacts are:</p> <ul style="list-style-type: none"> - <u>avoided</u>, through the dis-incentive of making vegetation clearing self-assessable development and applying 	<p>Include new Editor's Note in Table 8.2.4.3 under PO1</p> <p><i>Editor's note</i> – See Planning scheme policy 1 – environmental significance for advice on achieving compliance with this outcome</p>
Performance Outcome	Acceptable Outcomes										
For self-assessable development											
PO1 Development does not result in significant reduction in the level or condition of biodiversity and	AO1.1 Where equivalent compensatory planting is undertaken on-site that is equal in area to the area of vegetation cleared.										

Page no(s)	Detail of change	State Interest	State Assessment	Council Response	Supported changes to proposed Planning Scheme						
	<p>ecological functions and processes in the locality.</p>	<p>are maintained by avoiding fragmentation of matters of environmental significance.</p>	<p>plant regeneration, which allows the local endemic species to regrow on the required area with weed removal techniques applied.</p> <p>Furthermore, compensatory planting at a 1:1 ratio is not an equivalent outcome for the removal of MSES values as it is likely to result in higher value areas being replaced with lower value areas. However, this may be improved by requiring planting to be located in strategic areas where it will improve connectivity and habitat resilience. Additionally, requiring planting at a greater ratio than 1:1 could be used as an incentive to avoid the MSES.</p> <p>Recommendation</p> <p>It is requested that the council submit an amended proposed City plan to demonstrate compliance of the Environmental significant overlay code with SPP biodiversity policy.</p> <p>In particular, the council is required to demonstrate how this overlay code first avoids impacts on MSES values and, where not possible, mitigates the impacts to through enhanced measures.</p> <p>Add the following, or equivalent, wording in the Self-assessable outcomes that requires self-assessable development to avoid and mitigate and revegetate:</p> <table border="1" data-bbox="1448 1514 1857 1890"> <thead> <tr> <th data-bbox="1448 1514 1665 1570">Performance Outcome</th> <th data-bbox="1665 1514 1857 1570">Acceptable Outcomes</th> </tr> </thead> <tbody> <tr> <td colspan="2" data-bbox="1448 1570 1857 1633">For self-assessable development</td> </tr> <tr> <td data-bbox="1448 1633 1665 1890">PO1 Development does not result in significant reduction in the level or condition of biodiversity and ecological functions and</td> <td data-bbox="1665 1633 1857 1890">AO1.1 Development attempts to avoid clearing of native vegetation within areas of high biodiversity or</td> </tr> </tbody> </table>	Performance Outcome	Acceptable Outcomes	For self-assessable development		PO1 Development does not result in significant reduction in the level or condition of biodiversity and ecological functions and	AO1.1 Development attempts to avoid clearing of native vegetation within areas of high biodiversity or	<p>provisions to clearing above 500m²;</p> <ul style="list-style-type: none"> - <u>minimised</u> by setting a threshold, which tolerates low level clearing for domestic purposes (500m²), and providing a disincentive to clear above this threshold; - <u>mitigated</u> by requiring onsite replanting where clearing is undertaken between 500-2500m². <p>The suggested acceptable outcomes would not work as self-assessment criteria, as they are not measurable criteria.</p> <p>State's interim response</p> <p>The state is generally satisfied with the council's response. However, it is considered that the current AO1.1 does not provide a clear link to the draft planning scheme policy that describes requirements for compensatory planting.</p> <p>As such, the state recommends the following changes to AO1.3 to improve clarity:</p> <p>AO1.3 Where equivalent compensatory revegetation is undertaken on-site that it is equal in area to the area of vegetation cleared.</p> <p><i>Editor's note: See Planning scheme policy 1 – environmental significance for advice on achieving compliance with this outcome.</i></p> <p>Council's final response</p> <p>Disagree with suggested wording for the acceptable outcome.</p> <p>Agree with Editor's note and changes made.</p>	
Performance Outcome	Acceptable Outcomes										
For self-assessable development											
PO1 Development does not result in significant reduction in the level or condition of biodiversity and ecological functions and	AO1.1 Development attempts to avoid clearing of native vegetation within areas of high biodiversity or										

Page no(s)	Detail of change	State Interest	State Assessment		Council Response	Supported changes to proposed Planning Scheme
			processes in the locality.	<p>environmental significance and applies the overall outcomes in 8.2.4.2.</p> <p>AO1.2 Where avoidance of vegetation clearing is not possible, clearing is minimised.</p> <p>AO1.3 Where equivalent compensatory planting revegetation is undertaken on-site that is equal in area to the area of vegetation cleared.</p>		

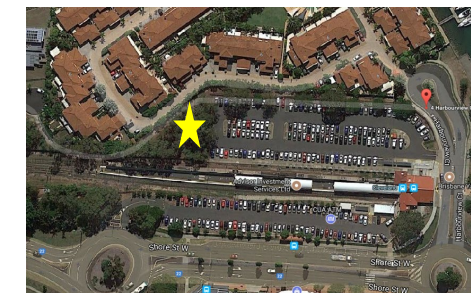
Significantly Different Assessment - Redland City Council – Changes to draft City Plan following consultation

Page no(s)	Detail of change	Significantly different	Council assessment	DILGP assessment	Council response	Supported changes to proposed Planning Scheme			
Address issues raised in a properly made submission									
Page 353 (Reconfiguring a lot code)	<p>Summary To reflect the change to the LMDR minimum lot size and frontage in the LMDR Zone code.</p> <p>It is not expected that this will impact on dwelling targets, as the LMDR Zone can still accommodate multiple dwellings and retirement uses, which are unaffected by the minimum lot size change. Additionally, the intent for this zone to accommodate these use types is considered to still meet the intent to provide a diverse range of housing options and meet the increasing need for smaller housing types in Redland City.</p> <p>Change In Table 9.4.4.3.2 make the following change:</p> <table border="1" data-bbox="350 1060 923 1165"> <tr> <td data-bbox="350 1060 578 1165">Low-medium density residential</td> <td data-bbox="578 1060 774 1165">7.5 10</td> <td data-bbox="774 1060 923 1165">250m² 400m²</td> </tr> </table>	Low-medium density residential	7.5 10	250m ² 400m ²	Pending	Nil	<p>The change:</p> <ul style="list-style-type: none"> • <u>May be</u> a material planning issue given that the change increases the minimum lot size for the LMDR Zone. Notwithstanding, it is also noted that the change aligns with the intent of the LMDR Zone given the purpose is to provide a mixture of higher density dwelling types (dual occupancy and small scale multiple dwellings) and the increase in the lot size facilitates this purpose (i.e. a dual occupancy is unachievable on a 250m² lot). • <u>Is</u> a significant portion of the area or land owners, as this change affects approximately 258 hectares (which equates to approximately 5% of the urban area). However, this area includes the Kinross Road Structure Plan and South East Thornlands Structure Plan areas which the council has advise is approximately half of this area. • <u>Is</u> a matter which is of widespread public interest, given the number of submissions received. However it is noted that of the 'objection' submissions received are generally raised in relation to infill development, rather than development in greenfield areas. Notwithstanding, the state has received a number of ministerial correspondence items raising concerns with these proposed changes with respect to the missing middle, inconsistency with the <i>South East Queensland Regional Plan 2009-2031</i> and the SPP's state interest: housing supply and diversity, and the significant impacts on current approvals and further development opportunities of the Kinross Road and South East Thornlands Structure Plans. 	<p>These minimum lot sizes were already contained in the overall outcomes in the consultation version of draft City Plan. This change merely ensures that the overall outcome is also pulled through to the performance outcome. No policy change is occurring.</p> <p>In addition, several submissions made specific comment on the LMDR zone minimum lot sizes:</p> <ul style="list-style-type: none"> • Support for the 250m² minimum lot size and 7.5m frontage; • Request to remove any minimum lot size; and • Request to increase minimum lot size to 350m². <p>State's interim response The change:</p> <ul style="list-style-type: none"> • <u>Is not</u> a material planning issue as it created a stronger bounded assessment and 'line-of-sight' for subdivision in this zone by uniformly reflecting the minimum lot size throughout code. • <u>Is</u> a significant portion of the area or land owners, as this change affects approximately 258 hectares (which equates to approximately 5% of the urban area). However, this area includes the Kinross Road Structure Plan and South East Thornlands Structure Plan areas which the council has advise is approximately half of this area. • <u>Is</u> a matter which is of widespread public interest, given the number of submissions received. However it is noted that of the 'objection' submissions received are generally raised in relation to infill development, rather than development in greenfield 	<p>Not supported</p> <p>Council notes but does not agree with State's assessment</p>
Low-medium density residential	7.5 10	250m ² 400m ²							

				<ul style="list-style-type: none"> • <u>Is</u> likely to generate multiple submissions – the state has received a number of ministerial correspondence items raising concerns with these proposed changes. • <u>Is not</u> a change to the level of assessment, however, increased the minimum lot size by which subdivision can occur from 250m² to 400m². • <u>Is</u> quite different to that which was released on public consultation, given the prohibition by stealth issue and the change to the minimum lot size from 250m² to 400m². <p>Recommendation Given the change affects a large number of lots, and it reflects a change to the minimum lot size from 250m² to 400m², it is considered significantly different. Notwithstanding, this change is in response to a large number of submissions received raising concerns with inappropriate small lot housing as infill development, rather than lot sizes in greenfield areas.</p> <p>The council is requested to provide information detailing the level of public interest in this change and whether the change would result in public submissions. It is noted that the state has received a number of ministerial correspondence from industry groups raising concerns with this change.</p> <p>As such, further information is sought from the council on:</p> <ul style="list-style-type: none"> • Does the council consider this change to affect a significant portion of the land area? • What is the area and percentage of land affected by the change in greenfield areas? • What is the area and percentage of land affected by the change in the infill areas? • Can the council demonstrate how this change in lot size still meets the density requirements for the Kinross 	<p>areas. Notwithstanding, the state has received a number of ministerial correspondence items raising concerns with these proposed changes with respect to the missing middle, inconsistency with the <i>South East Queensland Regional Plan 2009-2031</i> and the SPP's state interest: housing supply and diversity, and the significant impacts on current approvals and further development opportunities of the Kinross Road and South East Thornlands Structure Plans.</p> <ul style="list-style-type: none"> • <u>Is</u> likely to generate multiple submissions – the state has received a number of ministerial correspondence items raising concerns with these proposed changes. • <u>Is not</u> a change to the level of assessment. Although, the change is highly prescriptive in nature and industry concerns have been raised relating to whether the change is a 'prohibition by stealth', the council still has the ability to approve development applications with lots smaller than the minimum lot size. This is because the decision rules under the <i>Planning Act 2016</i> permit assessment manager discretion where a development application does not comply with some of the 'assessment benchmarks' (ie minimum lot size). • <u>Is</u> quite different to that which was released on public consultation, given the prohibition by stealth issue and the change to the minimum lot size from 250m² to 400m². <p>Recommendation Given the change affects a large number of lots, and it reflects a change to the minimum lot size from 250m² to 400m², it is considered significantly different. Notwithstanding, this change is in response to a large number of submissions received raising concerns with inappropriate small lot housing as infill development, rather than</p>	
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				<p>Road and South East Thornlands development areas?</p>	<p>lot sizes in greenfield areas.</p> <p>The council is requested to provide information detailing the level of public interest in this change and whether the change would result in public submissions. It is noted that the state has received a number of ministerial correspondence from industry groups raising concerns with this change.</p> <p>As such, further information is sought from the council on:</p> <ul style="list-style-type: none"> • Does the council consider this change to affect a significant portion of the land area? • What is the area and percentage of land affected by the change in greenfield areas? • What is the area and percentage of land affected by the change in the infill areas? • Can the council demonstrate how this change in lot size still meets the density requirements for the Kinross Road and South East Thornlands development areas? <p>Council's final response</p> <p>The LMDR zone covers approximately 258 hectares, which is approximately 5% of the area zoned for residential accommodation on mainland Redland City. Of this, approximately 125 hectares (almost half) of the LMDR zone is contained within the South East Thornlands and Kinross Road structure plan areas (identified within the LMDR1 and LMDR2 precincts respectively).</p> <p>The remaining half of the LMDR zone is scattered through the existing urban areas of the City, and the majority of this area is already developed with either multiple dwellings, aged care facilities or houses on smaller allotments.</p> <p>The LMDR1 and LMDR2 precincts are the "greenfield" development areas in the LMDR zone, and are also the areas where diversity in housing product is expected.</p>	
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					<p>It is suggested that the change to the minimum lot size and frontage to 400m² and 10m respectively should only apply to the LMDR zone proper, and that precincts LMDR1 and LMDR2 retain the publicly advertised minimum lot size and frontage of 250m² and 7.5m respectively.</p> <p>This will more closely respond to the majority of submissions that raised concerns regarding the impact of these smaller lot sizes of the character of existing urban areas, and will also remove the potential for the change to be significantly different as it will not affect the majority of the developable area in the LMDR zone.</p>	
Address issues raised in a properly made submission						
	<p>Summary 4B Harbourview Court, Cleveland be changed from Recreation and Open Space to Principal Centre Zone.</p> <p>Change ZM-001 (City wide zoning map), ZM-002, ZM-003 and ZM-004 (Mainland zoning maps sheets 1, 2 and 3), ZM-005 (North Stradbroke Island zoning map) and ZM-006 (Southern Moreton Bay Island zoning map) for 4B Harbourview Court, Cleveland.</p>	Pending	<p>Request by applicant seeking a lease over the land. This land is owned by the Department of Transport and Main Roads, who is negotiating with a developer to develop the site for car parking associated with the adjoining proposed development on the railway station carpark. This change is consistent with a previous resolution of Council to change the zoning of this land to Major Centre Zone under the current planning scheme. This change will ensure this carries across to the City Plan and is also in response to a submission. The change has not been yet made to the current planning scheme. Given potential commencement time of the draft City Plan, there may not be another amendment to the current planning scheme to bring in this change.</p>	<p>There may be a risk that this change is considered significantly different given the change will alter the level of assessment.</p> <p>The council is requested to consult with the Department of Transport and Main Roads on the proposed change to confirm if the proposed change is suitable and provide evidence to the department of this support.</p>	<p>No additional relevant information is available.</p> <p>State's interim response The change:</p> <ul style="list-style-type: none"> • <u>Is not</u> a material planning issue as the land is a vegetation buffer for the residential lands to the Cleveland Rail. • <u>Is not</u> a significant portion of the area or land owners as it affects a single lot. • <u>Is not</u> a matter which is of widespread public interest as only a single submission was received. • <u>Is not</u> likely to generate multiple submissions however the residents to the north may raise concerns. • <u>Is not</u> a change to the level of assessment however, it will affect the development abilities over the site. Under the Recreation and Open Space Zone, the proposed land use (a 	Condition removal of this proposed change



					<p>carpark) is impact assessable and subject to public consultation. Under the changed zone, the proposed land use is code assessable. However, the impacts from the uses will be minimum given the adjoining land use is also a car park.</p> <ul style="list-style-type: none"> • <u>Is not</u> quite different to that which was released on public consultation as it only affects one lot. <p>Recommendation The council's justification is considered satisfactory as it is not a material planning issue and is consistent with the surrounding lands.</p> <p>The council is requested to consult with the Department of Transport and Main Roads on the proposed change to confirm if the proposed change is suitable and provide evidence to the department of this support.</p> <p>Council's final response It is requested that the State condition the removal of this proposed change. Council can then facilitate structured consultation with the Department of Transport and Main Roads as part of a major amendment.</p>	
	<p>Summary 5-23 Lind Street, Thornlands be changed from LDR zone to Precinct LDR1.</p> <p>Change ZM-001 (City wide zoning map), ZM-002, ZM-003 and ZM-004 (Mainland zoning maps sheets 1, 2 and 3), ZM-005 (North Stradbroke Island zoning map) and ZM-006 (Southern Moreton Bay Island zoning map) for 5-23 Lind Street, Thornlands.</p>		<p>Third party request (both interested parties and neighbours). The current planning scheme identifies this site within the Park Residential Zone (equivalent to the Precinct LDR2 in the draft City Plan). The site sits at the boundary between Low Density Residential and Low Density Residential Precinct LDR2. This change provides a transition between these two precincts.</p> <p>There is a reasonable risk that the owner would make a submission about this change if given the opportunity, particularly as the owner requested the LDR zoning as a pre-submission.</p>		<p>No additional relevant information is available.</p> <p>State's interim response The change:</p> <ul style="list-style-type: none"> • <u>Is not</u> a material planning issue as it only affects one lot. • <u>Is not</u> a significant portion of the area or land owners as it affects a single lot. • <u>Is not</u> a matter which is of widespread public interest as only a single submission was received. • <u>Is not</u> likely to generate multiple submissions however the council has identified that the owner would likely make a submission. • <u>Is not</u> a change to the level of assessment however, it will affect the development abilities over the sites. 	<p>Not supported</p> <p>Council notes but does not agree with State's assessment</p>

					<ul style="list-style-type: none"> • <u>Is quite</u> different to that which was released on public consultation as the development opportunities for the site are significantly affected. It is noted that the change in the minimum lot size is 400m² to 2,000m². Given that the subject site is 3.6 hectares in size, the difference in development yield is significant (LDR could achieve a maximum of 91 lots while LMDR1 could achieve a maximum of 18 lots). <p>Recommendation Given the change was requested by a third party and is affectively a down zoning which will affect the land's development abilities, the state is not satisfied that this change is not significantly different.</p> <p>The council is requested to provide further justification or consult with the landowner about this change.</p> <p>Council's final response The recommendation is noted and it is requested that the State condition the removal of this proposed change.</p>	
	<p>Summary 1-21 Victoria Parade South, Coochiemudlo Island be changed from Recreation and Open Space to Conservation Zone.</p> <p>Change ZM-001 (City wide zoning map), ZM-002, ZM-003 and ZM-004 (Mainland zoning maps sheets 1, 2 and 3), ZM-005 (North Stradbroke Island zoning map) and ZM-006 (Southern Moreton Bay Island zoning map) for 1-21 Victoria Parade South, Coochiemudlo Island.</p>	Pending	Third party request (interested parties). This only affects public owned land along the foreshore. Land is owned by the State government, with Council as trustee. No consultation has occurred with DNRM.	As raised in the State interest assessment, the proposed change to zoning includes Lot 23 SP144276 that is a State land reserve with a purpose of Recreation, under the trusteeship of the council. It is proposed that the zoning of the Reserve will be changed from Recreation and Open Space to Conservation zone, which is not supported and has been requested to be changed back as part of the State interest comments.	<p>No additional relevant information is available.</p> <p>State's interim response The change:</p> <ul style="list-style-type: none"> • <u>Is not</u> a material planning issues as it only affects one lot. • <u>Is not</u> a significant portion of the area or land owners as it affects a single lot. • <u>Is not</u> a matter which is of widespread public interest as only a single submission was received. • <u>Is not</u> likely to generate multiple submissions as it is pubic owner land along the foreshore used for recreational purposes. This proposed change will not affect the current land use rights of the land. • <u>Is not</u> a change to the level of assessment as the park land use is exempt in either zone. 	<p>Not supported</p> <p>Council notes but does not agree with State's assessment</p>

					<ul style="list-style-type: none">• <u>Is</u> quite different to that which was released on public consultation as the purpose of the land and reserve is recreation. Given the intent of the Conservation Zone is for protecting land with significant biological diversity and ecological functions and the land is contains picnic tables, bbq, a toilet block, surf living saving patrol and a jetty, it considered that the Recreation and Open Space Zone be more appropriate. <p>Recommendation Given the change is does not reflect the current use of the land or the purpose of the reserve, the state is not satisfied that this change is not significantly different.</p> <p>Council's final response The recommendation is noted and it is requested that the State condition the removal of this proposed change.</p>	
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