

## 19.2 MINOR AMENDMENT TO CITY PLAN

### Objective Reference:

**Authorising Officer:** Louise Rusan, General Manager Community & Customer Services

**Responsible Officer:** David Jeanes, Group Manager City Planning & Assessment

**Report Author:** Janice Johnston, Principal Strategic Planner

**Attachments:** 1. Minor Amendment to City Plan – Dual Occupancy Provisions

The Council is satisfied that, pursuant to Section 275(1) of the *Local Government Regulation 2012*, the information to be received, discussed or considered in relation to this agenda item is:

- (h) *other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.*

### PURPOSE

The purpose of this report is to:

1. Consider a minor amendment pursuant to Chapter 2, Part 2, Section 5.1 of the Minister's Guideline and Rules under the *Planning Act 2016*.
2. Outline the proposed contents of the proposed minor amendment.
3. Seek a resolution to adopt the proposed minor amendment and repeal the confidential general meeting resolution of 12 December 2018, Item 19.5 City Plan Dual Occupancy Provisions.
4. Maintain the contents and attachments of this report as confidential until such time that the public notice for the minor amendment package is published.

### BACKGROUND

When drafting City Plan, it was determined that all dual occupancies would be subject to the design and siting criteria in the Queensland Development Code MP1.3 (Design and Siting Standard for Duplex Housing) (QDC MP1.3). To achieve this, the scheme was drafted with dual occupancies being made accepted development in some residential zones and without design and siting criteria (e.g. setbacks, site cover, and height), recognising that where the scheme was silent on these matters, the QDC MP1.3 would apply. As part of building approval, building certifiers would need to assess dual occupancy developments against QDC MP1.3 and where there was non-compliance, the application would trigger a concurrence agency referral to the Local Government for assessment and approval prior to building approval being given.

However, following the commencement of the new scheme, officers subsequently identified that the current provisions would not trigger assessment against the QDC MP1.3, potentially resulting in detached dual occupancies being erected without any design and siting assessment criteria to comply with. Subsequently on 12 December 2018, Council resolved to:

1. seek approval to commence a Temporary Local Planning Instrument as outlined in Attachment 1 pursuant to Chapter 3: Part 2 and Section 7.1 of the Minister's Guidelines and Rules under the *Planning Act 2016*;
2. commence a major amendment as outlined in Attachment 2 pursuant to Part 4 Section 16.1 of the Minister's Guideline and Rules under the *Planning Act 2016*;

3. submit the proposed TLPI to the Planning Minister for approval in accordance with Chapter 3: Part 2 and Section 7.1 of the Minister's Guidelines and Rules under the *Planning Act 2016*;
4. submit the contents of the proposed Major Amendment to the Planning Minister and request the amendment is considered as part of General Major Amendment Package approved by Council at its General Meeting on 10 October 2018; and
5. maintain the contents and attachments of this report as confidential until such time that the TLPI takes effect.

Since the resolution was made, Council officers have been liaising with officers from the Department of State Development, Manufacturing, and Infrastructure and Planning (the Department). The Department has indicated that at this stage a TLPI would not be supported. They have advised that a TLPI is not considered appropriate in this instance as they do not believe the issue results in a significant risk of serious adverse conditions. After considerable discussion with the Department, it has been determined that the best approach to ensure consistent design and siting criteria are applied to all dual occupancies in the City is to undertake a minor amendment to City Plan.

## ISSUES

In discussions with the Department the following matters have been identified:

- The QDC MP1.3 only applies to duplex developments which are defined in the QDC as a building containing not more than 2 attached dwellings. Therefore, QDC MP1.3 does not apply to detached dual occupancies.
- The Department agree with the above position however are of the view that detached dual occupancies should be assessed against other parts of the QDC as follows:
  - o MP1.1 Single Detached Dwelling House on a lot under 450m<sup>2</sup>; and
  - o MP1.2 Single Detached Dwelling House on a lot where the size of the lot is 450m<sup>2</sup> or more.
- Council planning and compliance officers do not agree with the interpretation provided by the Department, however it is noted that the Department is firm in its position. In addition they have also indicated that the Department of Housing and Public Works (HPW) will release a practice note to confirm this position to help ensure consistency between individual building certifiers. No timeframe has been given as to when this practice note will be finalised.
- The QDC MP1.3 only applies where the Local Government has made a relevant resolution under Schedule 4, Table 2, Item 2(f) of the repealed *Sustainable Planning Regulation 2009*. This provision has been carried forward by the *Planning Regulation 2017*. The relevant part (Schedule 6, Part 2, Item 2) indicates that where a site is zoned for residential purposes and there is no relevant overlay, an attached dual occupancy is prohibited from being made assessable development in a planning scheme, if the local government has resolved to apply this part. To date Council has not made a specific resolution under this part of the Regulation.
- While Council could resolve to make a specific resolution under this part of the Regulation to apply the prohibition it is not recommended that Council do so, given:
  - o dual occupancy development is not supported in some residential sub areas and is an impact assessable use in those parts of the City. A resolution would override these provisions; and
  - o a resolution under the Regulation can only apply to attached dual occupancies, therefore a separate process would still need to apply to detached dual occupancies. This would result

in unnecessary complication in determining the correct assessment process for dual occupancies.

- Both Council officers and the Department officers agree there is a further gap where dual occupancies which are designed with one building unit above the other are also not covered by QDC MP1.1, 1.2 and 1.3 as these provisions only apply to class 1 structures. A dual occupancy which is designed with one unit above the other is a class 2 structure.

In summary, as it stands based on the Department's advice only a detached dual occupancy would require assessment against the Queensland Development Code, and that would be against parts MP1.1 and MP1.2 for single detached dwelling houses. This is clearly not in accordance with the drafting intent of the City Plan and an appropriate solution is required as soon as possible to ensure all dual occupancies regardless of whether they are attached or detached are subject to design criteria in an appropriate and consistent way.

**Proposed minor amendment to the planning scheme to ensure consistent design and siting criteria are applied to all dual occupancies**

A minor amendment of the planning scheme is considered the most appropriate and time efficient mechanism to address this matter. In summary it involves changes to City Plan which will ensure all dual occupancies, irrespective of whether they are attached or detached structures and/or the size of the lot they are proposed to be erected on and/or the class of building, are to be assessed against QDC MP1.3 for all design and siting matters. This will help to reduce confusion and complexity in determining the correct assessment process for a dual occupancy and ensure all dual occupancies are subject to the same assessment benchmarks.

Schedule 1 of the Minister's Guidelines and Rules outlines the type of changes which can be considered a minor change. The proposed amendment is considered minor in accordance with Schedule 1, Item 2I, which indicates a minor change includes any change which is of a minor nature and that does not include a zoning change. The proposal is considered minor in nature as follows:

- The proposed amendment proposes to change City Plan so that it operates in the way intended when drafted and adopted by Council;
- The interpretation of what part of the QDC should apply to a particular dual occupancy is complex. The proposed amendment helps to simplify a process which otherwise is subject to multiple interpretations and different outcomes. The proposed amendment adds clarity to what is triggered and simplifies the process of determining what the relevant assessment benchmarks are; and
- It is not considered that the introduction of the proposed minor amendment results in any significant loss of development rights. QDC MP1.3 generally replicates the same criteria that are in MP1.1 and 1.2.

The Departmental officers have confirmed that they agree with Council officer's determination that the differences between the parts of the QDC provisions are of a minor nature and should the Council wish to apply MP1.3 across the board for dual occupancies, no state interest is likely to be impacted.

In accordance with the Minister's Guidelines and Rules the process to undertake a minor amendment is as follows:

- Decide to amend scheme.
- Prepare amendment.

- Decide to adopt amendment.
- Publish a public notice.
- Give the Department a copy of the public notice and a copy of the minor amendment as adopted.

As a minor amendment, the proposal will not require a State Interest Review or public consultation and subsequent consideration of submissions (as would be required if a major amendment was proposed). Critically therefore it is a much quicker process than a major amendment and can be implemented promptly should Council resolve to adopt the amendment thereby reducing the risk of any unregulated dual occupancies being erected in the City.

### **The Proposed Minor Amendment:**

Currently, the City Plan supports the establishment of dual occupancies in a number of residential zones as accepted development. The proposed changes to the scheme are outlined in Attachment 1. In summary the proposed amendments include:

- Amending the tables of assessment to elevate dual occupancies to a minimum level of accepted subject to requirements in the LDR, LMDR, MDR and Tourist Accommodation zones. No change is required in the Character Residential zone table of assessment as dual occupancies are already code assessable. Note that dual occupancies are impact assessable in all other zones. The requirements for accepted development subject to requirements to meet will be the relevant zone code.
- Each of the residential zone codes will have a section under 'development that is accepted subject to requirements and assessable development' which deals with dual occupancy design and siting. This will call up the acceptable solutions in QDC MP1.3 for all dual occupancies. Notes (which are considered a part of the planning scheme) will be included in the tables of assessment to clarify that a reference to a 'duplex' in QDC MP1.3 is taken to be a dual occupancy as defined in City Plan, and that the amendment applies to all dual occupancies, irrespective of the class of building. This will ensure that the assessment process for all dual occupancies is the same, no matter if they are attached, detached, or designed with one dwelling unit above the other.

Should Council agree with the above noted solution, Council would need to repeal the confidential General Meeting resolution of 12 December 2018, Item 19.5 City Plan Dual Occupancy Provisions. This resolution sought that the dual occupancy provisions would be amended through a TLPI (to ensure immediate effect of the new provisions), and via a major amendment to the scheme. As advised above, the Departmental officers do not agree that this issue should be dealt with via a TLPI. Given officers have determined an alternative approach that the Departmental officers agree is appropriate it is recommended that resolution be repealed.

### **STRATEGIC IMPLICATIONS**

#### **Legislative Requirements**

The minor amendment will be undertaken in accordance with the requirements of the Minister's Guidelines and Rules, a statutory document under the *Planning Act 2016* and *Planning Regulation 2017*.

#### **Risk Management**

Undertaking amendments to the planning scheme will ensure the document remains current and consistent with community expectations.

## Financial

Any proposed amendment to the planning scheme will be funded as part of the operating budget of the City Planning and Assessment Group.

## People

The staff resourcing required to make an amendment to the Planning Scheme will be primarily drawn from the Strategic Planning Unit of the City Planning and Assessment Group.

## Environmental

There are no relevant environmental matters.

## Social

Social matters have been discussed, where relevant, in the report.

## Alignment with Council's Policy and Plans

The proposed amendments will align with the Wise Planning and Design goals contained in Council's Corporate Plan and the Redlands Community Plan. This includes improving efficiencies in the City Plan and enhancing the City's character and liveability.

## CONSULTATION

Consulted	Consultation Date	Comments/Actions
Department of State Development, Manufacturing, Infrastructure and Planning.	Ongoing discussions with Department officers between December 2018 and February 2019.	Discussions regarding the original resolution (TLPI) and alternative options.

## OPTIONS

### Option One

That Council resolves to:

1. repeal the confidential General Meeting resolution of 12 December 2018, Item 19.5 City Plan Dual Occupancy Provisions;
2. adopt a minor amendment to City Plan as outlined in Attachment 1 pursuant to Chapter 2, Part 2, Section 6.1 of the Minister's Guideline and Rules under the *Planning Act 2016*; and
3. maintain the contents and attachments of this report as confidential until such time that the public notice about the amendment is published, subject to maintaining the confidentiality of legally privileged and commercial in confidence information.

### Option Two

That Council resolves to:

1. proceed with the confidential General Meeting resolution of 12 December 2018, Item 19.5 City Plan Dual Occupancy Provisions; and
2. maintain the contents and attachments of this report as confidential until such time that the public notice about the amendment package is published, subject to maintaining the confidentiality of legally privileged and commercial in confidence information.

**OFFICER'S RECOMMENDATION**

That Council resolves to:

1. **repeal the confidential General Meeting resolution of 12 December 2018, Item 19.5 City Plan Dual Occupancy Provisions;**
2. **adopt a minor amendment to City Plan as outlined in Attachment 1 pursuant to Chapter 2, Part 2, Section 6.1 of the Minister's Guideline and Rules under the *Planning Act 2016*; and**
3. **maintain the contents and attachments of this report as confidential until such time that the public notice about the amendment is published, subject to maintaining the confidentiality of legally privileged and commercial in confidence information.**

# Attachment 1: Proposed Minor Amendments to City Plan

## Proposed City Plan Amendments

The proposed amendments to the Planning Scheme are as follows:

The following tables of assessment identify the categories of development and assessment for a material change of use for a dual occupancy.

**Table 5.4.1—Low density residential zone**

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
<b>Park</b> <b>Sales office</b> <b>Landing</b> Editor's note—Landings are regulated as prescribed tidal works under the <i>Coastal Protection and Management Act</i>	<b>Accepted</b>	
<b>Substation</b> <b>Utility installation</b>	<b>Accepted</b>	
<b>Telecommunications facility</b>	If provided by a public sector entity	
<b>Dwelling house</b>	<b>Accepted</b>	
	If not accepted subject to requirements	
	<b>Accepted subject to requirements</b> Editor's note—Dwelling houses not complying with the relevant acceptable outcomes will require a concurrence agency referral to Council under Schedule 9 of the Regulation.	
	If: (1) in precincts LDR2, LDR3 or LDR4; or (2) in Raby Bay, Aquatic Paradise or Sovereign Waters and adjoining a canal or artificial water body.	Low density residential zone code
<b>Dual Occupancy</b>	<b>Accepted subject to requirements</b> Editor's note—Unless otherwise specified, development that is accepted subject to requirements will become code assessable when not complying with an acceptable outcome. However, it will only be assessable against the corresponding performance outcome (refer section 5.3.3 (2)).  Editor's note – Dual occupancies that do not comply with any relevant acceptable outcomes of the Queensland Development Code MP1.3 will require a concurrence agency referral to	

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	<b>Council under Schedule 9 of the Regulation.</b>	
	If: (1) not in precincts LDR1, LDR2 or LDR4; and (2) building height is 8.5m or less; and (3) density does not exceed 1 dwelling per 400m <sup>2</sup> of site area	Low density residential zone code
	<b>Code assessment</b>	
	If not in precincts LDR1, LDR2 or LDR4 and not accepted subject to requirements	Low density residential zone code
<b>Home based business</b>	<b>Accepted subject to requirements</b> Editor's note—Unless otherwise specified, development that is accepted subject to requirements will become code assessable when not complying with an acceptable outcome. However, it will only be assessable against the corresponding performance outcome (refer section 5.3.3 (2)).	
		Home based business code
<b>Community care centre Community use</b>	<b>Code assessment</b>	
	If total gross floor area of the proposed use and any existing community care centre or community use does not exceed 250m <sup>2</sup>	Low density residential zone code Healthy waters code Infrastructure works code Landscaping code Transport, servicing, access and parking code
<b>Impact assessment</b>		
Any other use not listed in this table. Any use listed in this table and not meeting the description listed in the categories of development and assessment column. Any other undefined use.		
	The planning scheme	

**Table 5.4.2—Low-medium density residential zone**

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
<b>Dual occupancy</b>	<b>Accepted</b>	
<b>Dwelling house</b>		



Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
<b>Park</b> <b>Sales office</b> <b>Landing</b> Editor's note—Landings are regulated as prescribed tidal works under the <i>Coastal Protection and Management Act</i>		
<b>Substation</b> <b>Utility installation</b>	<b>Accepted</b> If provided by a public sector entity	
<b>Telecommunications facility</b>	<b>Accepted</b> If aerial cabling for broadband purposes	
<b>Dual occupancy</b>	<b>Accepted subject to requirements</b> Editor's note – Dual occupancies that do not comply with any relevant acceptable outcomes of the Queensland Development Code MP1.3 will require a concurrence agency referral to Council under Schedule 9 of the Regulation.	<b>Low-medium density residential zone code</b>
<b>Home based business</b>	<b>Accepted subject to requirements</b> Editor's note—Unless otherwise specified, development that is accepted subject to requirements will become code assessable when not complying with an acceptable outcome. However, it will only be assessable against the corresponding performance outcome (refer section 5.3.3 (2)).	Home based business code
<b>Multiple dwelling</b> <b>Residential care facility</b> <b>Retirement facility</b> <b>Rooming accommodation</b>	<b>Code assessment</b> If building height is 8.5m or less	Low-medium density residential zone code Healthy waters code Infrastructure works code Landscaping code Transport, servicing, access and parking code
<b>Community care centre</b> <b>Community use</b>	<b>Code assessment</b> If total gross floor area of the proposed use and any existing community care centre or community use does not exceed 250m <sup>2</sup>	Low-medium density residential zone code Healthy waters code Infrastructure works code Landscaping code Transport, servicing, access and parking code

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
<b>Impact assessment</b>		
Any other use not listed in this table. Any use listed in this table and not meeting the description listed in the categories of development and assessment column. Any other undefined use.		The planning scheme

**Table 5.4.3—Medium density residential zone**

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
<b>Dwelling house</b> <b>Park</b> <b>Sales office</b> <b>Landing</b> Editor's note—Landings are regulated as prescribed tidal works under the <i>Coastal Protection and Management Act</i>	<b>Accepted</b>	
<b>Dual occupancy</b>	<b>Accepted Accepted subject to requirements</b> Editor's note – Dual occupancies that do not comply with any relevant acceptable outcomes of the Queensland Development Code MP1.3 will require a concurrence agency referral to Council under Schedule 9 of the Regulation.	
	If not in precincts MDR1, MDR2, MDR3, MDR4 and MDR5	<b>Medium density residential zone code</b>
<b>Substation</b> <b>Utility installation</b>	<b>Accepted</b>	
	If provided by a public sector entity	
<b>Telecommunications facility</b>	<b>Accepted</b>	
	If aerial cabling for broadband purposes	
<b>Food and drink outlet</b>	<b>Accepted</b>	
	If a tenancy change from an existing food and drink outlet, office or shop, and not involving any external building work	
	<b>Code assessment</b>	
	If not accepted and:	Medium density residential zone

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	(4) form part of a residential development; (5) the use is located on the ground floor; and (6) total gross floor area of the proposed use and any existing food and drink outlet does not exceed 250m <sup>2</sup>	code Healthy waters code Infrastructure works code Landscaping code Transport, servicing, access and parking code
<b>Home based business</b>	<b>Accepted subject to requirements</b> Editor's note—Unless otherwise specified, development that is accepted subject to requirements will become code assessable when not complying with an acceptable outcome. However, it will only be assessable against the corresponding performance outcome (refer section 5.3.3 (2)).	
		Home based business code
<b>Multiple dwelling</b> <b>Residential care facility</b> <b>Retirement facility</b> <b>Rooming accommodation</b> <b>Short term accommodation</b>	<b>Code assessment</b>	
	If building height does not exceed that detailed in Table 5.4.4 Building height	Medium density residential zone code Healthy waters code Infrastructure works code Landscaping code Transport, servicing, access and parking code
<b>Community care centre</b> <b>Community use</b>	<b>Code assessment</b>	
	If total gross floor area of the proposed use and any existing community care centre or community use does not exceed 250m <sup>2</sup>	Medium density residential zone code Healthy waters code Infrastructure works code Landscaping code Transport, servicing, access and parking code
<b>Impact assessment</b>		
Any other use not listed in this table. Any use listed in this table and not meeting the description listed in the categories of development and assessment column. Any other undefined use.		The planning scheme

**Table 5.4.4—Tourist accommodation zone**

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
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Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
<b>Dwelling house</b> <b>Dual occupancy</b> <b>Park</b> <b>Sales office</b> <b>Landing</b> Editor's note—Landings are regulated as prescribed tidal works under the <i>Coastal Protection and Management Act</i>	<b>Accepted</b>	
<b>Substation</b> <b>Utility installation</b>	<b>Accepted</b>	
<b>Telecommunications facility</b>	If provided by a public sector entity	
<b>Food and drink outlet</b> <b>Office</b> <b>Shop</b>	<b>Accepted</b>	
	If a tenancy change from an existing food and drink outlet, office or shop, and not involving any external building work.	
	<b>Code assessment</b>	
	If not accepted and: (7) part of a short term accommodation development; (8) the use is located on the ground floor; and (9) total gross floor area of the proposed use and any existing food and drink outlet, office or shop does not exceed 250m <sup>2</sup>	Tourist accommodation zone code Healthy waters code Infrastructure works code Landscaping code Transport, servicing, access and parking code
<b>Dual occupancy</b>	<b>Accepted subject to requirements</b> Editor's note – Dual occupancies that do not comply with any relevant acceptable outcomes of the Queensland Development Code MP1.3 will require a concurrence agency referral to Council under Schedule 9 of the Regulation.	
		<b>Tourist accommodation zone code</b>
<b>Home based business</b>	<b>Accepted subject to requirements</b> Editor's note—Unless otherwise specified, development that is accepted subject to requirements will become code assessable when not complying with an acceptable outcome. However, it will only be assessable against the corresponding performance outcome (refer section 5.3.3 (2)).	
		Home based business code

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
<b>Caretaker's residence</b> <b>Dwelling unit</b> <b>Multiple dwelling</b> <b>Relocatable home park</b> <b>Resort complex</b> <b>Rooming accommodation</b> <b>Short term accommodation</b> <b>Tourist park</b>	<b>Code assessment</b>	
	If building height does not exceed 14m	Tourist accommodation zone code Healthy waters code Infrastructure works code Landscaping code Transport, servicing, access and parking code
<b>Community care centre</b> <b>Community use</b>	<b>Code assessment</b>	
	If total gross floor area of the proposed use and any existing community care centre or community use does not exceed 250m <sup>2</sup>	Tourist accommodation zone code Healthy waters code Infrastructure works code Landscaping code Transport, servicing, access and parking code
<b>Hotel</b>	<b>Code assessment</b>	
	If on the same site as the Point Lookout Hotel	Tourist accommodation zone code Healthy waters code Infrastructure works code Landscaping code Transport, servicing, access and parking code
<b>Impact assessment</b>		
Any other use not listed in this table. Any use listed in this table and not meeting the description listed in the categories of development and assessment column. Any other undefined use.		The planning scheme

The following tables identify the assessment benchmarks in relevant zone codes for making a material change of use for a dual occupancy.

### 6.2.1.3 Low density residential zone code – Specific benchmarks for assessment

**Table 6.2.1.3.1 – Benchmarks for development that is accepted subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes
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Performance outcomes	Acceptable outcomes
<b>For development that is accepted subject to requirements and assessable development</b>	
<b>Dual occupancies</b>	
<b>PO1</b> Housing in the precinct LDR1 large lot or precinct LDR2 park residential or precinct LDR4 Kinross Road is limited to dwelling houses.	<b>AO1.1</b> Dual occupancies are not established in precinct LDR1 large lot or precinct LDR2 park residential or precinct LDR4 Kinross Road.
<b>PO2</b> In all other areas, dual occupancies occur on larger lots and in a form that is consistent with the low density, open and low-rise character of the locality.	<b>AO2.1</b> Density does not exceed one dwelling per 400m <sup>2</sup> of site area.
	<b>AO2.2</b> The site has a minimum frontage of 20m.
<b>PO3</b> To provide good residential design that promotes the efficient use of a lot, an acceptable amenity to residents, and to facilitate off street parking.	<b>AO3.1</b> A Dual occupancy complies with all of the Acceptable Solutions specified in the Queensland Development Code part MP 1.3.  Note – For the purpose of this AO, a reference to “duplex” in the Queensland Development Code MP1.3 is taken to be “Dual occupancy” as defined by this planning scheme.  Note – References to the Queensland Development Code MP 1.3 for the purposes of this AO are to be applied as if these provisions applied to a Dual occupancy.  Note – The Queensland Development Code MP1.3 indicates that it is only applicable to Class 1 and associated Class 10 buildings. For the purpose of this AO, the class of building is irrelevant, as long as the development meets the definition of “dual occupancy” as defined by this planning scheme.  Note - Other zone code provisions will prevail over this acceptable outcome to the extent of any inconsistency.

In addition to the above amendments, the numbering of the subsequent performance outcomes and acceptable outcomes will be amended sequentially in Table 6.2.1.3.1

### 6.2.2.3 Low-medium density residential zone code – Specific benchmarks for assessment

Table 6.2.2.3.1 – Benchmarks for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
<b>For development that is accepted subject to requirements and assessable development</b>	
<b>Dual occupancies</b>	
<b>PO1</b> To provide good residential design that promotes the efficient use of a lot, an acceptable amenity to residents, and to	<b>AO1.1</b> A Dual occupancy complies with all of the Acceptable Solutions specified in the Queensland Development Code part MP 1.3.

<p>facilitate off street parking.</p>	<p>Note—For the purpose of this AO, a reference to “duplex” in the Queensland Development Code MP1.3 is taken to be “Dual occupancy” as defined by this planning scheme.</p> <p>Note—References to the Queensland Development Code MP 1.3 for the purposes of this AO are to be applied as if these provisions applied to a Dual occupancy.</p> <p>Note – The Queensland Development Code MP1.3 indicates that it is only applicable to Class 1 and associated Class 10 buildings. For the purpose of this AO, the class of building is irrelevant, as long as the development meets the definition of “dual occupancy” as defined by this planning scheme.</p> <p>Note—Other zone code provisions will prevail over this acceptable outcome to the extent of any inconsistency.</p>
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In addition to the above amendments, the numbering of the subsequent performance outcomes and acceptable outcomes will be amended sequentially in Table 6.2.2.3.1

### 6.2.3.3 Medium density residential zone code – Specific benchmarks for assessment

**Table 6.2.3.3.1 – Benchmarks for development that is accepted subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes
<b>For development that is accepted subject to requirements and assessable development</b>	
<b>Dual occupancies</b>	
<p><b>PO2</b></p> <p>To provide good residential design that promotes the efficient use of a lot, an acceptable amenity to residents, and to facilitate off street parking.</p>	<p><b>AO3.1</b></p> <p>A Dual occupancy complies with all of the Acceptable Solutions specified in the Queensland Development Code part MP 1.3.</p> <p>Note—For the purpose of this AO, a reference to “duplex” in the Queensland Development Code MP1.3 is taken to be “Dual occupancy” as defined by this planning scheme.</p> <p>Note—References to the Queensland Development Code MP 1.3 for the purposes of this AO are to be applied as if these provisions applied to a Dual occupancy.</p> <p>Note – The Queensland Development Code MP1.3 indicates that it is only applicable to Class 1 and associated Class 10 buildings. For the purpose of this AO, the class of building is irrelevant, as long as the development meets the definition of “dual occupancy” as defined by this planning scheme.</p> <p>Note—Other zone code provisions will prevail over this acceptable outcome to the extent of any inconsistency.</p>

In addition to the above amendments, the numbering of the subsequent performance outcomes and acceptable outcomes will be amended sequentially in Table 6.2.3.3.1.

### 6.2.4.3 Character residential zone code – Specific benchmarks for assessment

**Table 6.2.4.3.1 – Benchmarks for development that is accepted subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes
<b>For assessable development</b>	
<b>Dual occupancies</b>	
<b>PO2</b> Dual occupancies occur on larger lots and in a form that is consistent with the low density, open and low-rise character of the locality.	<b>AO2.1</b> Density does not exceed one dwelling per 400m <sup>2</sup> of site area.
	<b>AO2.2</b> The site has a minimum frontage of 20m.
<b>PO3</b> To provide good residential design that promotes the efficient use of a lot, an acceptable amenity to residents, and to facilitate off street parking.	<b>AO3.1</b> A Dual occupancy complies with all of the Acceptable Solutions specified in the Queensland Development Code part MP 1.3.  Note—For the purpose of this AO, a reference to “duplex” in the Queensland Development Code MP1.3 is taken to be “Dual occupancy” as defined by this planning scheme.  Note—References to the Queensland Development Code MP 1.3 for the purposes of this AO are to be applied as if these provisions applied to a Dual occupancy.  Note – The Queensland Development Code MP1.3 indicates that it is only applicable to Class 1 and associated Class 10 buildings. For the purpose of this AO, the class of building is irrelevant, as long as the development meets the definition of “dual occupancy” as defined by this planning scheme.  Note—Other zone code provisions will prevail over this acceptable outcome to the extent of any inconsistency.

In addition to the above amendments, the numbering of the subsequent performance outcomes and acceptable outcomes will be amended sequentially in Table 6.2.4.3.1.

### 6.2.5.3 Tourist accommodation zone code – Specific benchmarks for assessment

**Table 6.2.5.3.1 – Benchmarks for development that is accepted subject to requirements and assessable development**

Performance outcomes	Acceptable outcomes
<b>For development that is accepted subject to requirements and assessable development</b>	
<b>Dual occupancies</b>	



**PO1**

To provide good residential design that promotes the efficient use of a lot, an acceptable amenity to residents, and to facilitate off street parking.

**AO1.1**

A Dual occupancy complies with all of the Acceptable Solutions specified in the Queensland Development Code part MP 1.3.

Note—For the purpose of this AO, a reference to “duplex” in the Queensland Development Code MP1.3 is taken to be “Dual occupancy” as defined by this planning scheme.

Note—References to the Queensland Development Code MP 1.3 for the purposes of this AO are to be applied as if these provisions applied to a Dual occupancy.

Note – The Queensland Development Code MP1.3 indicates that it is only applicable to Class 1 and associated Class 10 buildings. For the purpose of this AO, the class of building is irrelevant, as long as the development meets the definition of “dual occupancy” as defined by this planning scheme.

Note—Other zone code provisions will prevail over this acceptable outcome to the extent of any inconsistency.

In addition to the above amendments, the numbering of the subsequent performance outcomes and acceptable outcomes will be amended sequentially in Table 6.2.5.3.1

**Officer Recommendation**

It is recommended that Council amend the Redland City Plan in accordance with the proposed amendments outlined above.