

## 19.1 PROPOSED MAJOR AMENDMENT TO CITY PLAN: HERITAGE SCHEDULE

### Objective Reference:

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

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

**Report Author:** Isabel Lockwood, Strategic Planner

**Attachments:**

1. Major Amendment to City Plan: Heritage Schedule - DSDMIP State Interest Review - Notice to change and pause timeframe
2. Major Amendment to City Plan: Heritage Schedule - Proposed response to a Notice of advice to change and pause the timeframe of a proposed major amendment
3. Major Amendment to City Plan: Heritage Schedule - Proposed sites to be added to Schedule 7 (Amended May 2019)

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 the report is to seek direction from Council on matters raised by the Department of State Development, Manufacturing, Infrastructure and Planning (the Department) in its assessment of the proposed Major Amendment to City Plan: Heritage Schedule.

### BACKGROUND

At the General Meeting of 23 January 2019 a confidential report was presented to Council to consider a Major Amendment to City Plan: Heritage Schedule. Council resolved to commence a major amendment to include an additional 51 properties in Schedule 7, Heritage Schedule of City Plan and to submit the contents of the proposed major amendment to the Planning Minister for the purpose of completing the State Interest Review.

Under the Minister's Guidelines and Rules, the Minister must undertake a State interest review of the proposed amendment and must be satisfied that the proposed changes to the planning scheme appropriately integrate State interests, including:

- Those identified in legislation (such as the *Planning Act 2016*);
- The State Planning Policy (SPP), and;
- The South East Queensland Regional Plan 2017 (ShapingSEQ).

On 25 March, the Department issued a 'Notice of advice to change and pause the timeframe of a proposed amendment' under section 17.3 of Chapter 2, Part 4 and part 5 section 23.1 of the Minister's Guidelines and Rules. This notice advised Council to consider changing the proposed Major Amendment to City Plan: Heritage Schedule to appropriately address state interests, as outlined in Attachment 1.

## ISSUES

The 'Notice of advice to change and pause the timeframe of a proposed amendment' identifies four specific properties which the Department has identified require further consideration. Attachment 2 provides an assessment and recommendation on each of the sites.

The 'Notice of advice to change' recommended the removal of two lots from the proposed schedule because they fall within the study area of the draft Dunwich (Goompi) masterplan for the North Stradbroke Island (NSI) Economic Transition Strategy and their removal would allow for an unbiased and objective assessment of the future land uses within the study area. However there are an additional seven properties proposed on the draft schedule which are also within the draft masterplan study area. For consistency it is therefore recommended that these are also removed from the proposed schedule (refer to Attachment 2). It is also recommended that the citations for all the relevant properties which were originally listed on the draft schedule, be submitted to the Department for consideration during the preparation of the Dunwich (Goompi) master plan.

It is recommended that Council resolves to remove the 11 properties from the proposed amendment list to the Heritage Schedule and formally advise the Department of its decision. Should Council seek to continue to include any of the 11 properties as originally submitted it is likely the Minister will condition removal of the sites, prior to approval being granted to proceed to public consultation.

Attachment 2 also recommends that an application is made to the Queensland Heritage Council to amend the citation and boundary of site 602139 Public Reserve incorporating the Privy Pit and the Site of Convict Barracks and Store.

The revised list of properties, proposed for inclusion on the Heritage Schedule of City Plan is shown in Attachment 3.

## STRATEGIC IMPLICATIONS

### Legislative Requirements

The amendment package was prepared in accordance with the *Planning Act 2016* and Minister's Guidelines and Rules. Council must continue to follow the process set out in the legislative framework under which the proposed amendment was prepared.

### Risk Management

Undertaking amendments to the planning scheme will ensure the document remains current and consistent with community expectations. Mandatory public consultation requirements (as per the Minister's Guidelines and Rules) for major planning scheme amendments will also ensure the community is given the opportunity to provide feedback on any proposed changes.

### Financial

The report to the General Meeting dated 23 January sets out the financial implications of proceeding with the planning scheme amendment.

A heritage incentive scheme is considered to be a fundamental part of the Heritage Management Framework. The costs and potential revenue sources (for implementation and ongoing costs) associated with listing of privately owned properties on the heritage schedule have been evaluated.

Summary of potential costs

	Establishment Costs	Ongoing annual cost (assuming no new sites added)
<b>1. Planning Scheme Amendment</b>	\$10,000	n/a
<b>2. Heritage Advice</b>		
<b>Heritage Advice to property owners</b>	\$11,000	Completed in year 1
• one on one meetings		
• Assessment of submissions	\$5,000	
• Pre-lodgement	n/a in Yr 1	\$17,000
<b>Associated information resources</b>	\$2,000	\$1,000
<b>3. Financial</b>		
• Grants		\$60,000 - \$100,000
• Heritage Advice		\$12,375
<b>4. Public Engagement</b>		
• Internal and external marketing strategies	\$2,000	\$2,000
<b>Projected expenditure</b>	<b>\$30,000</b>	<b>\$92,375 to \$132,375</b>

The likelihood of including private properties onto the heritage schedule being successful would be greatly enhanced if Council is committed to providing ongoing professional heritage advice and a grant system, which is estimated to require an ongoing commitment of between \$90,000 and \$132,000 approximately, per annum.

Accordingly a budget submission for \$130,000 for the Heritage Management Framework (to cover the costs including the grant and heritage adviser) has been made for the 2019/2020 annual budget process.

Recognising these circumstances, it is recommended Council not proceed with statutory public consultation on the proposed major amendment until such time as it has determined its 2019/2020 budget and decided whether or not to include ongoing grants/heritage advisor costs.

### People

The staff resourcing required to make the proposed amendment will be primarily drawn from the Strategic Planning Unit of Council's City Planning and Assessment Group. Future work will involve collaboration across Council including the Communications, Engagement and Tourism Group and those responsible for Finance, Grants and Sponsorship.

### Environmental

The strategy intends to secure ongoing and improved protection of sites of local European heritage significance in the City.

## Social

There is potential for social/economic benefits through the promotion of heritage places and trails.

### 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 2018-2023 and Redlands Community Plan. This includes an effective and efficient development assessment process that is consistent with legislation and community expectations.

## CONSULTATION

A number of Council groups were consulted in the preparation of the amendment package. It has not been necessary to further consult with these groups in preparing a response to the Department's comments on the amendment package.

## OPTIONS

### Option One

That Council resolves to:

1. respond to the Department of State Development, Manufacturing, Infrastructure and Planning to address changes in response to the notice given under Chapter 2, Part 4, Section 17.3 of the Minister's Guidelines and Rules for Major Amendment to City Plan: Heritage Schedule, as set out in Attachment 2;
2. submit the revised Major Amendment to City Plan: Heritage Schedule, as set out in Attachment 3 to the Department; and
3. maintain the contents and attachments of this report as confidential until such time that the amendment is released for public consultation, subject to Council and Ministerial approval.

### Option Two

That Council resolves to:

1. respond to the Department of State Development, Manufacturing, Infrastructure Planning to address changes in response to the notice given under Chapter 2, Part 4, Section 17.3 of the Minister's Guidelines and Rules for Major Amendment to City Plan: Heritage Schedule, with alternative responses to those in Attachment 2 as directed by Council; and
2. maintain the contents and attachments of this report as confidential until such time that the amendment is released for public consultation, subject to Council and Ministerial approval.

### Option Three

That Council resolves to:

1. not proceed with the amendment package and advise the Department of State Development, Manufacturing, Infrastructure and Planning of this position; and
2. maintain the contents and attachments of this report as confidential until such time that the amendment is released for public consultation, subject to Council and Ministerial approval.

**OFFICER'S RECOMMENDATION**

That Council resolves to:

1. respond to the Department of State Development, Manufacturing, Infrastructure and Planning to address changes in response to the notice given under Chapter 2, Part 4, Section 17.3 of the Minister's Guidelines and Rules for Major Amendment to City Plan: Heritage Schedule, as set out in Attachment 2;
2. submit the revised Major Amendment to City Plan: Heritage Schedule, as set out in Attachment 3 to the Department; and
3. maintain the contents and attachments of this report as confidential until such time that the amendment is released for public consultation, subject to Council and Ministerial approval.



Department of  
**State Development,  
Manufacturing,  
Infrastructure and Planning**

Our reference: F19/1670 - MA-00029

20 March 2019

Mr Andrew Chesterman  
Chief Executive Officer  
Redland City Council  
PO Box 21  
CLEVELAND QLD 4163

Via email: [stephen.hill@redlands.qld.gov.au](mailto:stephen.hill@redlands.qld.gov.au)

Attention: Steven Hill

Dear Mr Hill,

**Notice of advice to change and to pause the timeframe a proposed amendment**

*(Given under chapter 2, part 4, section 17.3 and chapter 2, part 5, sections 23.1 of the Minister's Guidelines and Rules)*

Thank you for your letter dated 25 February 2019 advising of Redland City Council's (the council) decision to make a major amendment, the proposed Heritage Major Amendment 03/2019 (the proposed amendment) to the *Redland City Plan 2018* (City Plan).

On 26 February 2019, the Department of State Development, Manufacturing, Infrastructure and Planning (the department) commenced the state interest review for the proposed amendment. Following the initial review, the department has determined further information is required for the proposed amendment to appropriately address relevant state interests.

In accordance with chapter 2, part 4, section 17.3 of the Minister's Guidelines and Rules (MGR), I am taking the opportunity to advise the council during the state interest review to consider changing the proposed amendment to appropriately address state interests by taking the following actions:

- Remove Lot 12 on CP865858 (known as Foreshore, Ballow Street) from the proposed amendment. This site has been identified as a Queensland Heritage place and cannot be identified as a Local Heritage place.
- Remove Lot 66 on SP115554 (known as Governor Gipps' landing Site). This site is found within a Priority Development Area (PDA). Schedule 6 of the Planning Regulation 2017 prohibits a local categorising instrument from stating development in a PDA is assessable development.
- It is recommended the council remove Lot 15 on D90415 (known as Former Benevolent Asylum Ward 13) and Lot 5 on CP898073 (known as Police Station Cell Block) given both lots fall within the study area in the draft Dunwich (Goompi) Master

Plan (the Master Plan) for the North Stradbroke Island (NSI) Economic Transition Strategy. This is to allow for an unbiased and objective consideration of future land uses within the Master Plan area.

If the council wishes to maintain the status of Lot 15 on D90415 and Lot 5 on CP898073 in the proposed amendment, it is recommended the council undertake targeted consultation with the Qunadamooka Yoolooburrabee Aboriginal Corporation as Native Title Holders for NSI to ensure their native title rights are protected.

Under chapter 2, part 5, section 23.1 of the MGR, notice is given that the timeframe for the proposed amendment has been paused from the day after this notice is given. Upon satisfactory receipt of the requested information, the process will resume at chapter 2, part 4, section 17.2 of the MGR.

If you require further information, I encourage you to contact Ashleigh Slater, Principal Planning Officer, Planning and Development Services, on 07 5644 3221 or by email at [ashleigh.Slater@dsd.qld.gov.au](mailto:ashleigh.Slater@dsd.qld.gov.au).

Yours sincerely



Gareth Richardson  
**Manager, Planning and Development Services (SEQ South)**

# Proposed response to a Notice of advice to change and pause the timeframe of a proposed major amendment – Heritage Schedule

May 2019

The proposed response to the Department of State Development, Manufacturing, Infrastructure and Planning is as follows:

## Proposed Response

### Requested Change

Remove Lot 12 on CP865858 (known as Foreshore, Ballow Street) from the proposed amendment. This site has been identified as a Queensland Heritage place and cannot be identified as a Local Heritage Place.

### DUNWICH: Swimming Enclosure



<b>Street Address</b>	Foreshore, Ballow Street, Dunwich
<b>GPS/RPD</b>	Next to L12 CP865858
<b>Place Type</b>	Built, Landscape



*Red-e-map (RCC, 2016).*



*Dunwich Swimming Enclosure (AHS, 2016).*

### Assessment

The Queensland State Heritage Register identifies the site as: Public Reserve incorporating the Privy Pit and Site of Convict Barracks and Store.

The statement of significance makes no reference to the swimming enclosure and the boundary on the Queensland Heritage Register does not appear to incorporate the swimming enclosure.

### Recommended response to DSDMIP:

- the site is removed from the proposed Major Amendment to City Plan: Heritage Schedule
- RCC makes a representation to the Queensland Heritage Council to amend the boundary of Public Reserve site and the statement of significance to incorporate the swimming enclosure.



**Requested change**

Remove Lot 66 on SP11554 (known as Governor Gipps landing Site). This site is found within a Priority Development Area. Schedule 6 of the Planning Regulation 2017 prohibits a local categorising instrument from stating development in a PDA is assessable development

**CLEVELAND: Governor Gipps' Landing Site**



<b>Street Address</b>	G.J. Walter Park, Cleveland
<b>GPS/RPD</b>	153.2846832, -27.5245724
<b>Place Type</b>	Landscape



*Red-e-map (RCC, 2016).*



*Governor Gipps' Landing Site (AHS, 2017).*

**Recommended response to DSDMIP:**

- the site is removed from the proposed Major Amendment to City Plan: Heritage Schedule

**Requested change**

It is recommended the Council remove Lot 15 on D90415 (known as Former Benevolent Asylum Ward 13) and Lot 5 on CP898073 (known as Police Station Cell Block) given both lots fall within the study area in the draft Dunwich (Goompi) Master Plan (the Master Plan) for the North Stradbroke Island (NSI) Economic Transition Strategy. This is to allow for an unbiased and objective consideration of future land uses within the Master Plan area.

If the Council wishes to maintain the status of Lot15 on D90415 and Lot 5 on CP898073 in the proposed amendment, it is recommended the council undertake targeted consultation with the Quandamooka Yoolooburrabee Aboriginal Corporation as Native Title Holders for NSI to ensure their native title rights are protected.

## DUNWICH: Former Benevolent Asylum Ward 13

<b>Street Address</b>	8-22 Mallon Street, Dunwich
<b>GPS/RPD</b>	Lot 15 on D90415
<b>Place Type</b>	Built



*Red-e-map (RCC, 2016).*



*Residence, 8-22 Mallon Street, Dunwich (AHS, 2016).*

<b>Street Address</b>	2 Bayly Street, Dunwich
<b>GPS/RPD</b>	L5 CP898073
<b>Place Type</b>	Built



*Red-e-map (RCC, 2016).*



*Police Station Cell Block, Dunwich (AHS, 2016).*

### Recommended response to DSDMIP:

- Maintain both these sites on Schedule 7: Heritage Schedule as a clear indication of Council's commitment to the conservation of European Heritage.
- the citations for each of the sites within Dunwich, including their statements of significance are provided to DSDMIP for their consideration of heritage matters as part of the Dunwich (Goompi) Master planning process.

**Draft Planning Scheme Amendment Package –  
Proposed sites to be added to Schedule 7 Heritage Schedule**

**Legend**

Properties reinstated to Schedule

	<b>Lot and Plan No</b>	<b>Locality</b>	<b>Address</b>	<b>Description</b>
1	Lot 93 SL5245	Amity Point	2 Ballow Street, Amity Point	Cabarita
2	Lot 29 SP151524	Birkdale	50-60 Birkdale Road, Birkdale	Somersby Grange
3	Lot1 RP143286	Birkdale	27 Roger Street, Birkdale	Birkdale House
4	Lot 1 B4271	Birkdale	33 Thorne Road, Birkdale	St George's Anglican Church
5	Lot 2 RP14144 and Lot 2 SP146445	Birkdale	362-388 Old Cleveland Road East, Birkdale	Former US Army Signal Corps Receiving Station
6	Lot 6 RP43359	Cleveland	200 Middle Street, Cleveland	200 Middle Street
7	Lot 2 RP66399	Cleveland	219 Middle Street, Cleveland	219 Middle Street
8	Lot 5 C14565	Cleveland	19 North Street, Cleveland	19 North Street
9	Lot 3 SP260125	Cleveland	79 Passage Street, Cleveland	Shellim
10	Lot 1 RP181607	Cleveland	61 Princess Street, Cleveland	Callan Doon
11	Lot 6- 8 C730495	Cleveland	24 Queen Street, Cleveland	Methodist (Uniting) Church Hall
12	Lot 6- 8 C730495	Cleveland	24 Queen Street, Cleveland	Uniting Church (Formerly Methodist)
13	Lot 1 RP120477	Cleveland	1 Shore Street East, Cleveland	1 Shore Street, East
14	Lot 2 RP142152	Cleveland	3 Shore Street East, Cleveland	3 Shore Street, East
15	Lot 502 C14568	Cleveland	151 Shore Street North, Cleveland	Criagielea
16	Lot 1 RP1677	Cleveland	153 Shore Street North, Cleveland	153 Shore Street North
17	Lot 4 RP1677	Cleveland	157 Shore Street North, Cleveland	157 Shore Street North
18	Lot 1 RP211344	Cleveland	162 Shore Street North, Cleveland	Seaforth Cottage
19	Lot 5 C628	Cleveland	103 Passage Street, Cleveland	103 Passage Street
20	Lot 719 D9044	Dunwich	14, Bingle Road, Dunwich	Former Benevolent Asylum Building, 14 Bingle Road
21	Lot 720 D9044	Dunwich	16, Bingle Road, Dunwich	Former Benevolent Asylum Building, 16 Bingle Road

**Draft Planning Scheme Amendment Package –  
Proposed sites to be added to Schedule 7 Heritage Schedule**

	<b>Lot and Plan No</b>	<b>Locality</b>	<b>Address</b>	<b>Description</b>
22	Lot 721 D9044	Dunwich	18 Bingle Road, Dunwich	Former Benevolent Asylum Building, 18 Bingle Road,
23	Lot 1 D9046	Dunwich	14 Stradbroke Place, Dunwich	Former Benevolent Asylum Building, 14 Stradbroke Place
24	Lot 15 D90415	Dunwich	8-22 Mallon Street, Dunwich	Former Benevolent Asylum Ward 13, 8-22 Mallon Street
25	Lot 9 D9042	Dunwich	18 Oxley Parade, Dunwich	Former Benevolent Asylum Building, 18 Oxley Parade
26	Lot 1023 D9046	Dunwich	11 Parsons Street, Dunwich	Former Benevolent Asylum Building, 11 Parsons Street
27	Lot 2 D9046	Dunwich	12, Stradbroke Place, Dunwich	Former Benevolent Asylum Building, 12 Stradbroke Place
28	Lot 5 CP898073	Dunwich	2 Bayly Street, Dunwich	Police Station Cell Block
29	Lot 1 RP48370	Mt Cotton/Sheldon	1249-1251 Mount Cotton Road, Mount Cotton Road	Mount Cotton Hall
30	Lot 1 RP69724	Mt Cotton/Sheldon	1257-1259 Mount Cotton Road, Mount Cotton	St Paul's Lutheran Church
31	Lot 1 and Lot 2 SL979 and Lot 3 RP30542	Redland Bay	111 Esplanade, Redland Bay	111 Esplanade
32	Lots 59-80 RP30542, Lots 81-87 RP136364 and Lots 89-90 RP59297	Redland Bay	167 Esplanade, Redland Bay	Redland Bay Hotel
33	Lot 1 RP30547 and Lot 1 RP30550	Redland Bay	228-234 Gordon Road, Redland Bay	Methodist Church
34	Lot 1 SP127719	Redland Bay	6 Melrose Court, Redland Bay	6 Melrose Court
35	Lot 22 SP115509	Redland Bay	214 School of Arts Road, Redland Bay	Mt Carmel Orchard – Belcher's House
36	Part of Lot 42 SL7635	Russell Island	38-64 High Street, Russell Island	Russell Island State School
37	Lot 1 RP22130	Thorneside	15 John Street, Thorneside	15 John Street
38	Lot 1 RP216885	Victoria Point	55 Colburn Avenue, Vitoria Point	The Point
39	Lot 38, part Lot 145 SL4362	Victoria Point	424 Redland Bay Road (Corner Colburn Av) Victoria Point	Charles Snow Environmental

**Draft Planning Scheme Amendment Package –  
Proposed sites to be added to Schedule 7 Heritage Schedule**

	<b>Lot and Plan No</b>	<b>Locality</b>	<b>Address</b>	<b>Description</b>
	Part Lot 2 RP123972			Education Centre (Eprapah)
40	Lots 17& 18 RP40809	Wellington Point	17-18 The Esplanade, Wellington Point	17-18 The Esplanade
41	Lot 139 RP14151	Wellington Pont	35 Fernbourne Road, Wellington Point	Casurina Cottage
42	Lot 8 SP188629	Wellington Point	2 Raife Close, Wellington Point	The Palms
43	Lots 64 and 65 RP14152	Wellington Point	6 Harris Street, Wellington Point	6 Harris Street
44	Lot 165 CP888464	Wellington Point	452-478 Main Road, Wellington Point	Wellington Point State School
45	Lot 164 CP888464	Wellington Point	480 Main Road, Wellington Point	Wellington Point Schools Principals House (Former)
46	Lot 2 RP155349	Wellington Point	493 Main Road, Wellington Point	493 Main Road
47	Lot 2 RP107272, Lot 126 RP14151 and Lot 1 RP815402	Wellington Point	3 Station Street/509 Main Road, Wellington Point	3 Station Street
48	Lot 123 RP219139	Wellington Point	11 Station Street, Wellington Point	11 Station Street
49	Lot 118 SP138750	Wellington Point	17-19 Station Street, Wellington Point	St James Anglican Church

**Legend**

Properties reinstated on Schedule