

19.3 GENERAL ADMINISTRATIVE AND MINOR AMENDMENT PACKAGE 07/19

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. Proposed changes for the general administrative and minor amendment package (07.19)
2. Heritage Recommendation Emerald Fringe

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. Propose an administrative and minor amendment of City Plan pursuant to:
 - Chapter 2, Part 1, Section 3.1;
 - Chapter 2, Part 2, Section 5.1; and
 - Chapter 3, Part 1, Section 2.1of the Minister's Guideline and Rules under the *Planning Act 2016*.
2. Outline the proposed contents of the proposed amendment package.
3. Seek a resolution to adopt the proposed amendment package.
4. Maintain the contents and attachments of this report as confidential until such time that the public notice for the administrative and minor amendment package is published.

BACKGROUND

Following the commencement of the City Plan on 8 October 2018 a number of administrative and minor amendments have subsequently been identified. In accordance with the Minister's Guideline and Rules under the *Planning Act 2016*, administrative and minor amendments do not require a State Interest Review or public consultation and subsequent consideration of submissions. If Council resolves to adopt the amendment package, officers will set a commencement date and implement the changes to City Plan on that day.

To date, one minor amendment to the City Plan has been undertaken which commenced on the 4 April 2019, creating version 2 of the City Plan. This amendment involved a single issue addressing design and siting criteria for proposed dual occupancies.

ISSUES

Council's Strategic Planning team actively manages a list of proposed amendments to City Plan that are proposed by various stakeholders who use the City Plan. This report investigates a number of

proposed amendments which are classified as administrative or minor in nature. An explanation and recommendation for each amendment is outlined below, with the proposed changes to the City Plan outlined in Attachment 1.

Administrative Amendments

1. Correct typing errors in the Specialised Centre and Community Facility Zone codes

This amendment proposes to correct a typing error in the Specialised Centre and Community Facility Zone Codes, whereby the word 'or' has been used instead of the word 'for'.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 1.

Note: This amendment is considered to be an administrative amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a)(iii).

2. Modify the explanation of the term 'Southern Moreton Bay Islands'

This amendment proposes to amend the wording of a term used in the City Plan to define 'Southern Moreton Bay Islands'. The term includes Macleay Island, but does not explicitly include Perulpa Island, which is a small island attached to Macleay Island by a causeway. To remove any doubt, it is suggested that Perulpa Island be included in the relevant sections of the City Plan.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 2.

Note: This amendment is considered to be an administrative amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a)(i).

3. Modify a legislation reference in the Waterway Corridors and Wetlands Overlay Code

This amendment proposes to simply include the year the Environmental Offsets Act, as referenced in section 8.2.11 - Waterway Corridors and Wetlands Overlay Code, was enacted.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 3.

Note: This amendment is considered to be an administrative amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a)(i).

4. Amend outdated terminology relating to the Priority Infrastructure Plan

This amendment proposes to correct out-dated terminology. An editor's note references the 'Priority Infrastructure Plan', when it should reference the 'Local Government Infrastructure Plan'.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 4.

Note: This amendment is considered to be an administrative amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a)(v).

5. Amend references to the Reconfiguring a Lot Code

This amendment proposes to amend the wording used in the City Plan when referring to the 'Reconfiguring a Lot Code'. There is an instance where the code has incorrectly been referred to as the 'Reconfiguration Code'.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 5.

Note: This amendment is considered to be an administrative amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a)(vii).

6. Amend references to the Landscape Code

This amendment proposes to amend the wording used in the City Plan when referring to the 'Landscape Code'. There are multiple instances where the code has incorrectly been referred to as the 'Landscaping Code'.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 6.

Note: This amendment is considered to be an administrative amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a)(vii).

7. Amend 'and' 'or' statements in multiple zone codes

This amendment proposes to change the wording of three performance outcomes where an ';' or' statement has been incorrectly used. Section 1.3.3 of the City Plan indicates that:

- A word followed by ";" or ", and" is considered to be "and"
- A word followed by "; or" means either or both options can apply.

The wording has been amended to align with other parts of the City Plan where the wording has been used without the ';' or' statement. Additionally, a change to the numbering of the acceptable outcome of AO19 of table 6.2.11.3.1 is proposed.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 7.

Note: This amendment is considered to be an administrative amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a)(iii) and (vi).

8. Amend 'and' 'or' statements in overlay and development codes

This amendment proposes to change the wording of four performance/acceptable outcomes where ';' or' statements have been incorrectly used. Section 1.3.3 of the City Plan indicates that:

- A word followed by ";" or ", and" is considered to be "and"
- A word followed by "; or" means either or both options can apply.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 8.

Note: This amendment is considered to be an administrative amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a)(iii).

9. Replace outdated terminology relating to Koala legislation

This amendment proposes to replace references to the repealed *South East Queensland Koala Conservation State Planning Regulatory Provisions*. These provisions were replaced with the introduction of the *Planning Act 2016* and *Planning Regulation 2017*, in particular, Schedule 10 (part 10) and Schedule 11 of the *Planning Regulation 2017*.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 9.

Note: This amendment is considered to be an administrative amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a)(v).

10. Correct missing references

This amendment proposes to correct missing references in the Transport, Servicing, Access and Parking Code.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 10.

Note: This amendment is considered to be an administrative amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a)(vii).

11. Incorporate references to the Multiple Dwelling Design Guide

In 2018, Council adopted its Multiple Dwelling Design Guide (MDDG). The intent of the MDDG is to achieve high standard design outcomes for multiple dwellings within Redland City. It is to be used as a reference document to support the criteria for assessable development contained within the City Plan. This amendment proposes to link the two documents by inserting editor's notes within the tables of assessment and zone codes for the Low Medium and Medium Density Residential Zone Codes. In accordance with section 1.3.2 of the City Plan, editor's notes are extrinsic material, as per the *Acts Interpretation Act 1954*, and are provided to assist in the interpretation of the planning scheme (they do not have the force of law).

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 11.

Note: This amendment is considered to be an administrative amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a)(i).

12. Update the designation of premises for development of infrastructure table

This amendment proposes to update Table SC5.1 – Designation of Premises for Development of Infrastructure under section 42 of the Act, with three additional sites. Changes are also proposed to the table to fix formatting issues.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 12.

Note: This amendment is considered to be an administrative amendment in part in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a)(ii). Section 42 (5) of the Planning Act 2018 indicates that including a note about designation in the City Plan is not an amendment to the City Plan. However, as Council is already preparing this minor and administrative amendment, it is considered reasonable to include the details as part of this package.

13. Clarification of acceptable outcomes which are not alternatives to the Queensland Development Code

An editor's note within table 5.6.1 indicates that the acceptable outcomes for building works for detached houses (and some dual occupancies) in the Low Density Residential Code are alternative provisions to the Queensland Development Code (QDC), and that building works for such

development not complying with the relevant acceptable outcomes will require a concurrence agency referral to Council under schedule 9 of the *Planning Regulation 2017*. This is correct for dwelling houses in precincts LDR2 and LDR4, but not in precinct LDR3 (Point Lookout) or in Raby Bay, Aquatic Paradise or Sovereign Waters and adjoining a canal or artificial water body.

In relation to precinct LDR3, not all acceptable outcomes for development in table 6.2.1.3.2 are alternative provisions to the QDC. The implication of this is that some applications (those triggered due to non-compliance with an alternative provision) will require a concurrence agency referral to Council under schedule 9 of the Regulation, whereas non-compliance with other acceptable outcomes will trigger a code assessable building works assessable against the planning scheme application. As such, amendments to the editor's notes within table 5.6.1 are proposed and it is also recommended to include editor's notes for each of the acceptable outcomes AO8.1 through to AO15.1 in table 6.2.1.3.2, to clearly specify the type of application triggered by non-compliance.

In relation to dwelling houses and dual occupancies in Raby Bay, Aquatic Paradise or Sovereign Waters and/or adjoining a canal or artificial water body, the acceptable outcomes in table 6.2.1.3.2 require a setback of 9m to address both amenity and the structural integrity of the revetment wall. The acceptable outcome AO7.1 relates specifically to amenity and is an alternative provision to the QDC. However acceptable outcome AO6.1 relates to the structural integrity of the revetment wall. This issue is not a building assessment provision and is therefore not an alternative to QDC. Non-compliance with AO6.1 will trigger a code assessable building works application assessable against the planning scheme. Editor's notes are proposed to clarify this.

It is important to note that, in accordance with S.54(3) of the *Planning Act 2016*, if a person is an assessment manager for an application, and would be a referral agency for the application as well, then the person is not a referral agency, but the person's functions and powers as assessment manager include those the person would have had as a referral agency. Therefore, if there are areas of non-compliance which trigger both a concurrence agency assessment and a building works assessable against the City Plan application, then only the later application is required, but the assessment will include both areas of non-compliance.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 13.

Note: This amendment is considered to be an administrative amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a)(i).

14. Healthy Waters Code – various amendments

This amendment seeks to make multiple changes to the Healthy Waters Code. The majority of changes deliver improvements to the wording of performance and acceptable outcomes and editor's notes. Other changes aim to reduce confusion where statements such as 'environmental values of receiving waters' have been used as a general statement, but is a defined term in other legislation. Another change seeks to delete a reference to a repealed document (the 2016 Guideline for Water Quality). This document has been replaced by the SPP guidance material for water quality (July 2017), however the new document does not provide guidelines for the preparation of an acid sulphate soils environmental management plan.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 14.

Note: This amendment is considered to be an administrative amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 1(a).

15. Updates to Schedule 4

This amendment proposes to update schedule 4 of the City Plan which includes notations required under the *Planning Act 2016*. Changes are also proposed to the headings to reflect new terminology in the *Planning Act 2016*.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 15.

Note: Section 89(3) of the Planning Act 2016 indicates that a notation under section 89 is not considered an amendment to the planning scheme. However, as Council is already preparing this minor and administrative amendment, it is considered reasonable to include the details as part of this package, in order to streamline the process and comply with section 89(2b) which requires notice of the notation to the chief executive.

Minor Amendments

16. Provide clarity regarding the Queensland Development Code

This amendment proposes to clarify the assessment criteria which must be applied by building certifiers using the QDC when assessing building applications for single detached dwelling houses.

MP1.1 and MP1.2 of the QDC establish requirements for the design and siting of single detached dwellings houses and associated structures. The requirements of QDC MP1.1 and MP1.2 apply in circumstances where a planning scheme makes development accepted/accepted subject to requirements or does not nominate an alternative standard with regard to criteria such as site cover, setbacks etc.

The *Building Act 1975* gives effect to the QDC. The parts of QDC MP1.1 and MP1.2 that currently have legislative effect are listed in Schedule 1 of the *Building Act 1975*. Importantly, Schedule 1 does not reference all parts of the MP1.1 and MP1.2, only performance criteria 1, 2, 3 and 6 which relate to setbacks and site cover. It does not reference the other performance criteria (4, 5, 7, 8 and 9) and the corresponding acceptable solutions. These provisions regulate building height, visual privacy, on-site parking and open space for single detached dwellings.

The above situation is creating some confusion amongst building certifiers regarding whether or not those parts of QDC MP1.1 and MP1.2 not listed in Schedule 1 need to be addressed in a building application for a detached single dwelling.

Section 10(2) of the *Building Regulation 2006* stipulates that a local government planning scheme can state that all or some of these parts of MP1.1 and MP1.2 of the QDC not listed in Schedule 1 of the *Building Act 1975*, (performance criteria 4, 5, 7, 8 and 9 and the corresponding acceptable solutions) apply, or alternatively impose alternative requirements to regulate these matters.

The City Plan is currently silent on whether performance criteria 4, 5, 7, 8 and 9 and the corresponding acceptable solutions of QDC MP1.1 and MP1.2 apply, nor does it contain alternative provisions addressing these matters.

To ensure clarity and remove any ambiguity, it is proposed to include additional wording within section 1.6 of the City Plan (building work regulated under the planning scheme), stating explicitly that all parts of QDC MP1.1 and MP1.2, including performance criteria 4, 5, 7, 8 and 9 and the

corresponding acceptable solutions apply to relevant development, unless a relevant alternative provision applies.

The proposed amendment will ensure building certifiers are fully aware that all parts of QDC MP1.1 and MP1.2 must be addressed in the assessment of building applications for single detached dwellings (dwelling houses) including those parts of MP1.1 and MP1.2 not identified in Schedule 1 of the *Building Act 1975*.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 16.

Note: This amendment is considered to be a minor amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 2 (I). Based on Council's interactions with applicants, it is generally considered that all parts of the QDC are triggered and currently assessed. This note in the planning scheme therefore does not change how development proposals are assessed, but rather, clarifies the existing expectation/intent of the scheme drafting.

17. Alignment of City Plan to Regulated Requirements in *Planning Regulation 2017*

City Plan obtained Ministerial Approval under the *Sustainable Planning Act 2009* (SPA), which has been replaced by the *Planning Act 2016*. Under SPA, planning schemes were required to align with the Queensland Planning Provisions (QPP). The QPP identified the structure and contents of planning schemes. Under Queensland's new planning framework regulated by the *Planning Act 2016*, the QPP has been repealed. Section 16(2) of the *Planning Act 2016* provides that a regulation may prescribe requirements (the regulated requirements) for the contents of a local planning instrument. Subsection 3 states that the regulated requirements apply to a planning scheme made under the *Planning Act 2016*, to the extent of any inconsistency. The *Planning Regulation 2017* identifies these as:

- zone names;
- zone purpose statements;
- zone mapping colours; and
- use terms and administrative terms and their definitions.

Part 2.4 of City Plan states that the Minister has identified that the QPP are appropriately reflected in the City Plan and the Regulated Requirements have not been reflected. This amendment proposes to update the City Plan to reflect the regulated requirements in regards to use terms and administrative terms and their definitions.

Part 1: Amendments to Use terms

This part proposes to amend the use terms and their definitions to align with the regulated requirements. The Department have prepared a document 'Guidance for applying the regulated requirements to local planning schemes – October 2016'. For use definitions, three options are presented when aligning a planning scheme:

1. Reference directly to the *Planning Regulation 2017*;
2. Provide a list of use terms and definitions, with the definitions only referencing the *Planning Regulation 2017*; or
3. Provide a full list of terms and definitions.

It is recommended that Council proceed with option 1 above as this will ensure that the terms will always reflect the most up-to-date version in the *Planning Regulation 2017* and Council will not have to continue to make amendments to the City Plan whenever the regulated requirements are updated.

Part 2: Amendments to Administrative terms

This part proposes to amend the administrative terms to align with the regulated requirements identified in the *Planning Regulation 2017*.

The adoption of use terms or administrative terms in the City Plan is limited to those prescribed in the *Planning Regulation 2017*; however, the local government may include additional administrative terms that are not prescribed in the regulation where the additional terms do not conflict with a prescribed use term or administrative term.

Again, the document 'Guidance for applying the regulated requirements to local planning schemes – October 2016' presents three options when aligning a planning scheme:

1. Reference directly to the *Planning Regulation 2017*;
2. Provide a list of administrative terms and definitions, with the definitions only referencing the *Planning Regulation 2017*; or
3. Provide a full list of terms and definitions.

It is recommended that Council proceed with option 1 above as this will ensure that the terms will always reflect the most up-to-date version in the *Planning Regulation 2017* and Council will not have to continue to make amendments to City Plan whenever the regulated requirements are updated.

Part 3: Other General Consequential Amendments

Five of the updated regulated requirements use terms are slightly different to the existing City Plan terms. The relevant sections of the City Plan where the terms will need to be updated are detailed in the proposed amendments section.

Part 4: Amendments to zones.

City Plan currently complies with the *Planning Regulation 2017* section 6(1) which states that a local planning instrument must not include land in a zone other than a zone stated in schedule 2, column 1. However, the zone purpose statements do not comply with section 6(2), which states that the instrument must include the purpose statement stated opposite the zone in column 2 of schedule 2. Section 6(3) indicates that a local government may have alternative zone purpose statements if the Minister considers the change is necessary or desirable having regard to the circumstances in the local government area to which the instrument will apply. At this stage, Council officers are still investigating potential changes to the zone purpose statements and are considering contacting the Minister to request statements which differ to those in the regulated requirements. As such, this amendment package will not amend the zone purpose statements. These will be investigated as part of a potential future amendment package. It is still considered appropriate to amend the use and administrative definitions as this will make the City Plan more consistent with other Queensland planning schemes. It is proposed that section 2.4 of the City Plan be amended to indicate that the regulated requirements are not fully reflected in the City Plan.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 17.

Note: This amendment is considered to be a minor amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 2(c).

18. Amend the Table Assessment for the Coastal Protection (Erosion Prone Areas) Overlay

This amendment proposes to change the table of assessment for the Coastal Protection (Erosion Prone Areas) Overlay so that for an application involving a material change of use or building works for dual occupancy, dwelling house or community residence will only trigger code assessment if the structures are located within the mapped overlay area.

It is noted that section 5.3.2 (5) of the City Plan states:

Where development is proposed on premises partly affected by an overlay, the categories of development or assessment for the overlay only relates to the part of the premises affected by the overlay.

The *Planning Act 2017* defines development as carrying out building work; or plumbing work; or operational work; or reconfiguring a lot; or making a material change of use of premises.

A material change of use generally involves the whole lot that it is applied over, not just the part of the lot that is covered by a building. For example, if a house is proposed on a residential lot, the change of use from vacant to dwelling would generally be expected to involve the whole lot, not just the building area. Where a lot is partially covered by the coastal protection (erosion prone areas) overlay, a material change of use for dual occupancy, dwelling house or community residence may trigger to code assessment, even if the proposed building is located outside of the mapped overlay area. This is undesirable and serves no assessment purpose as the code simply requires development to be located outside of the erosion prone area. This requirement is also reflected in the State Development Assessment Provisions. This change will resolve the issue by making a material change of use accepted development where all buildings or structures are located outside of the mapped overlay area.

It is recommended that Council amend the City Plan in accordance with the proposed amendments outlined in attachment 1, item 18.

Note: This amendment is considered to be a minor amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 2(l).

19. Introduce Transport Noise Corridor mapping on Local Roads

To minimise the impacts of transport noise on dwelling occupants, the Queensland Government has streamlined the building application approval process for residential buildings constructed in designated transport noise corridors. Designated transport noise corridors can be State-controlled roads, railways or major local government roads that have been designated and gazetted by the State or a local government under the *Building Act 1975*. Residential buildings that are located in a designated transport noise corridor need to comply with the QDC Part 4.4 – *Buildings in a transport noise corridor*. Under the code, residential buildings need to achieve certain levels of noise reduction for occupants. This can be achieved through incorporating appropriate building materials to the building's external envelope (e.g. windows, walls, roof, floors and entry doors).

The State provides a mapping tool which can be used to determine if a property is located in a designated transport noise corridor. The mapping tool is contained within the SPP Interactive Mapping System (hosted by the Department of State Development, Manufacturing, Infrastructure

and Planning (DSDMIP). Information about transport noise corridors may also be shown in local government planning schemes.

Council has previously resolved to designate local transport noise corridors and has subsequently been seeking approval from the relevant State agencies to endorse Council's mapping. This process has now been finalised.

Section 246X of the *Building Act 1975* indicates that a local government may, by gazette notice, designate land as a transport noise corridor. At least 20 days prior to the gazettal notice, the local government must give the chief executive written notice about the proposed designation. Section 246Y indicates that as soon as practicable after designating land as a transport noise corridor, the local government must give notice of the designation to the chief executive and include a record of the transport noise corridor in its planning scheme. The record must:

- (a) identify the land that is within the transport noise corridor; and
- (b) include details about the levels of noise within the corridor caused by traffic on the road for which it is designated; and
- (c) state that interested persons may obtain details about the transport noise corridor and the levels of noise from the local government.

Information required to be included in the record must be included in a way that readily allows an applicant for a building development approval to identify whether land the subject of the approval is within a transport noise corridor.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 19.

Note: This amendment is considered to be a minor amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 2(l).

20. Clarification of application requirements where within 9m of a revetment wall

PO6/7 and AO6.1/7.1 of the Low Density Residential Zone Code relate to dual occupancy and dwelling house development within 9m of a revetment wall in Raby Bay, Aquatic Paradise and Sovereign Waters. Where development is proposed within 9m of the property boundary adjoining a revetment wall, PO6 requires that development reduces the risk to new structures from the construction, maintenance, structural deterioration or failure of revetment walls and maintain the structural stability of revetment walls.

A local engineering company have indicated that in recent applications, Council has asked for designs that are based on geotechnical reports (RPEQ prepared) or Bishop's modified method of embankment analyses to determine the stability (circular failure surfaces) of slopes and excavations. They have raised concerns with such requests due to the cost and physical impediments in undertaking such an analysis due to significant drilling requirements. They have indicated that under the now repealed Redland Planning Scheme's Canal and Lakeside Structures Overlay code and Council's Guideline GL3063, Council required the developer to demonstrate that the load on the wall was no greater than the design load (2kPa) used in the original stability analysis when the Raby Bay estate was built. They have indicated that this was a workable solution and have requested that this be reintroduced into City Plan.

This amendment seeks to include in City Plan, the 2kPa net positive load note which was part of the Canal and Lakeside Structures Overlay Code in the now repealed Redlands Planning Scheme.

Council's relevant asset manager (Senior Engineer, Marine and Waterway Assets) has been consulted about this amendment and is supportive of the reintroduction of the planning scheme note and its use in all canal estates, not just Raby Bay.

Additionally, it has been determined that the editor's note in AO7.1 should be moved to AO6.1. This is because AO7.1 deals with amenity issues whereas AO6.1 deals with structural stability of revetment walls. Also, a spelling error in the note which is part of PO6 is to be amended.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 20.

Note: This amendment is considered to be a minor amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 2(I).

21. Inclusion of the 'Emerald Fringe' of Coochiemudlo Island as a Local Heritage Place

This amendment proposes to make changes to the Heritage Overlay Code and Heritage Schedule in City Plan, to include the 'Emerald Fringe' of Coochiemudlo Island. The land known as 'The Emerald Fringe' is located at Victoria Parade, North, South, East and West, Coochiemudlo Island and includes the following lots:

- Lots 22 and 23 on SP144276;
- Lots 24, 25 and 26 on SP199973;
- Lot 101 on C3281;
- Plus Road Reserve on Victoria Parade South, West, North and East.

Council is the Trustee for all these properties. A map of the proposed local heritage place boundary is shown below.



The Department of Environment and Science (DES) received an application to enter the 'Emerald Fringe' of Coochiemudlo Island in the Queensland Heritage Register. This was submitted on behalf of the Coochiemudlo Island Heritage Society. On 14 December 2018, the DES issued a letter to Council which advised that on 26 October 2018 the Queensland Heritage Council resolved to not

enter the 'Emerald Fringe' site onto the Queensland Heritage Register as a State Heritage Place. In addition, the letter also advised that in accordance with section 112A of the *Queensland Heritage Act 1992* (QHA), the Emerald Fringe be identified in the Redland City Council Heritage Schedule. This recommendation is on the basis that the chief executive is satisfied it has local cultural heritage significance. Under section 112B of the QHA, Council must act on this recommendation by following the process set out in sections 117 to 120 of the QHA.

On 29 April 2019, Council officers contacted the heritage officer identified in the DES letter in relation to the process under section 117 to 120 of the QHA. The heritage officer confirmed that these sections do not apply given:

- Section 112 of the QHA indicates that a local government must identify places in its local government area that are of cultural heritage significance either in its planning scheme, or in a local heritage register kept by the local government;
- Redland City Council does not keep a 'local heritage register', but rather, has a schedule of local heritage places in its planning scheme; and
- Sections 112 B and 117 to 120 only relate to sites listed under a local heritage register.

Therefore, on advice from the heritage officer, it was confirmed that a planning scheme amendment was the most suitable process to achieve local heritage listing of the site.

It is recommended that Council amend the City Plan in accordance with the proposed amendments outlined in attachment 1, item 21.

Note: This amendment is considered to be a minor amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 2(l) (development which is of a minor nature that does not include zoning changes).

Officers consider that this proposed amendment falls in the above criteria to be categorised as a minor amendment for the following reasons:

- *The proposed amendment does not involve zoning changes, but rather, the addition of a site to the heritage schedule and heritage overlay;*
- *Normally, amendments to the heritage schedule and heritage overlay would require a major amendment, as they would provide an impact on development rights. However Council is trustee for all these State owned lots It is a State directive to include this site in the schedule. The rights of private land owners would not therefore be affected.*

22. Mapping change – boulevard parkland in South East Thornlands

This amendment seeks to amend the zoning of a 'boulevard' road in the central South East Thornlands Structure Plan Area, in order to reflect development approvals that are now in place. The change involves two sites as follows, both of which were zoned Community Purposes Sub-Area 7 (CP7) under the Redland City Plan:

- 44-46 Harrington Boulevard, Thornlands (Lot 504 on SP282234). This is a 6170sqm site used as open space. This site has been zoned LMDR1 under the City Plan. This site was purchased by Council as part of development approvals ROL005695 and ROL005698 (as per the March 2014 deed of agreement related to these applications).
- 48-58 Seaforth Avenue, Thornlands (Lot 505 on SP301018). This is a 3461sqm site used as open space. This site has been zoned LMDR1 and MDR6 under the City Plan. This site (approximately

30m wide by 131.25m long) was purchased by Council as part of development approval MCU012923 for local park purposes.

Both sites are currently owned by Redland City Council as Trustee (City Spaces).

Under the Redlands Planning Scheme, CP7 zone was applied over the future road network in South East Thornlands to reflect the intention to deliver roads in specific locations. One notable weakness of this approach was that in some instances, lots created as part of the ROL were covered by both the CP7 and residential zones leading to issues with gaining approval to construct dwelling houses on the created lots. When drafting City Plan, it was determined that future intended roads would not be zoned community purposes and that provisions within the relevant zone codes would carry forward the intent to deliver roads in the relevant locations. As a result, the CP7 zoning from RPS was converted to residential zonings under City Plan. Now that the development applications which included the 'boulevard' road in the central South East Thornlands Structure Plan area have been approved and enacted, it is considered appropriate to change the zoning of these two land parcels to reflect their approved use.

As a result of this mapping change, two figures will need to be updated as they reflect the LMDR1 and MDR6 zone boundaries. These figures are:

- Figure 6.2.2.2.1 – Precinct LMDR 1: South East Thornlands (found in section 6.2.2.2 of the Low-Medium Density Residential Zone Code); and
- Figure 6.2.3.2.6 – Precinct MDR6: South East Thornlands (found in section 6.2.3.2 of the Medium Density Residential Zone Code).

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 22.

Note: This amendment is considered to be a minor amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 2(e).

23. Mapping Change – Shoreline

This amendment proposes to change the zoning of the lots that form part of the approved 'Shoreline' development at Redland Bay. The current Shoreline preliminary approval (MCU013287) was approved at the Council Meeting on 18 November 2015. The proposal comprises a preliminary approval to vary the effect of the Redlands Planning Scheme for a material change of use for a master planned urban community.

On 5 December 2018, the Shoreline developer (Lendlease) wrote to Council highlighting concerns with the change of zoning of the Shoreline site from the investigation zone under the RPS to the rural zone under the City Plan. The letter indicates that the combination of the rural zoning and the Shoreline site being mapped as a Priority Koala Assessable Development Area (PKADA), results in the amount of urban development that is now categorised as prohibited development being significantly expanded. Lendlease believe this imposes an unreasonable restriction on the proponent's ability to achieve adjustments to the current approval and have requested that the land be included in the Emerging Community Zone to reflect the intent for the area. This issue was also raised in relation to adjoining sites that have been added to the Urban Footprint designation under the *SEQ Regional Plan*, but did not form part of the original approval. The Lendlease letter indicates that Council intends to delay the zoning change until a new infrastructure agreement is implemented as there is an 'incorrect assumption' by Council that an Emerging Community Zoning would confer obligations on Council to deliver infrastructure. Lendlease believe this is not the case,

stating they remain committed to the orderly delivery of all required urban infrastructure for the project, in accordance with the principles already agreed between the parties.

Council officers have investigated the claims in the letter and confirm that changes to the approval cannot be made under the *Planning Act 2016* given:

- The *Planning Regulation 2017* indicates that when a site is in the rural zone, an material change of use for an urban activity is prohibited where within a PKADA; and
- The *Planning Act 2016* stipulates that a ‘minor change’ or ‘other change’ cannot include prohibited development.

Under the Redlands Planning Scheme, the site was identified as an investigation zone. The overall outcomes of the zone indicated that uses and other development should:

Provide for a limited range of uses that –

- a. protect the productive traditional rural activities that rely on the use of the land;
- b. maintain the current low-intensity and open character of the land;
- c. provide for a rural lifestyle with detached housing on existing individual lots;
- d. restrict development, including reconfiguration, until such time as the suitability or otherwise of the land for possible future urban purposes is established.

When aligning the draft City Plan to the new planning legislation under the *Planning Act 2016*, the regulated requirements (which includes the zones a local planning scheme can use and their purpose statements), did not include an investigation zone. The relevant options to choose from for a replacement zone (from the regulated requirements) were as follows:

Emerging community zone code	The purpose of the emerging community zone is to— (a) identify land that is intended for an urban purpose in the future; and (b) protect land that is identified for an urban purpose in the future from incompatible uses; and (c) provide for the timely conversion of non-urban land to land for urban purposes.
Rural zone code	The purpose of the rural zone is to— (a) provide for rural uses and activities; and (b) provide for other uses and activities that are compatible with— (i) existing and future rural uses and activities; and (ii) the character and environmental features of the zone; and (c) maintain the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes.

During the review of submissions for the draft City Plan, the zoning of this area was debated by Council. Three options were considered as follows:

1. Support for the draft City Plan identifying the area within the Rural Zone, with a designation for a ‘future urban growth investigation area’ within the Strategic Framework;
2. Seeking that the area be placed in an Emerging Community Zone;
3. Seeking that the area remains in the Rural Zone, and that the future growth designation within the Strategic Framework be removed

The submission review report notes that:

The Shoreline preliminary approval overrides the planning scheme and will be appropriately identified as a notation in the planning scheme. In this way, there is no need to amend the zoning of the draft City Plan to reflect the Shoreline approval. In fact, as the approval included a number of elements that balanced the impacts of the development, including substantial ecological corridors and provision of trunk and non-trunk infrastructure, it is preferable to retain the land in the Rural Zone and allow the preliminary approval to dictate the planning requirements as development is carried out. Additionally, Council has not determined the boundaries of the future investigation area and the extent to which areas outside of the Shoreline approval are appropriate for urban development. This is more appropriately done as a planning investigation after commencement of the City Plan. Any findings from this investigation can then feed into an amendment to the scheme at a later date.

Overall, Option 1 was considered the most suitable. It was determined that the rural zoning reflects the use of the area for non-urban purposes, its high environmental values and designation in the *South East Queensland Regional Plan 2009-2031* as a Regional Landscape and Rural Production Area.

Critically at the time of the submission review, the land was included in the Regional Landscape and Rural Production area of the *South East Queensland Regional Plan 2009-2031*. This has since changed with the State including the area in the Urban Footprint. The history of zoning and South East Queensland Regional Plan designations is summarised as follows:

- The SEQ Regional Plan 2005 identified the Southern Redland Bay area within the Investigation Area.
- Version 1 of the Redland Planning Scheme was adopted in March 2006 in which 310ha of the southern Redland Bay area was zoned investigation, consistent with the Regional Plan. Both investigation designations stipulated that further work would be required to assess the potential impacts of development, the infrastructure requirements and the most appropriate use/layout of the land.
- The SEQ Regional Plan 2009 removed the subject land from the Investigation Area and included it in the Regional Landscape and Rural Production Area. The consultation report provided to Council at the time noted that the decision was made based on Council's request and also based on wider koala policy matters and outcomes.
- Shoreline application lodged in June 2014 and approved in November 2015.
- SEQ Regional Plan 2017 (Shaping SEQ) given effect on 11 August 2017. This included the Shoreline site, as well as some surrounding properties, in the Urban Footprint.
- The Investigation zoning of the land remained in the final version of Redland Planning Scheme (7.2 – effective July 2018).
- City Plan adopted in July 2018 and came into effect in October 2018 with Shoreline area zoned rural.

It is noted that the investigation zone in Redland Planning Scheme aimed to restrict development, including reconfiguration, until such time as the suitability or otherwise of the land for possible future urban purposes was established. It did not make a determination that the land would be suitable for urban purposes. On the other hand, the Emerging Community Zone purpose statement under the *Planning Regulation 2017* does indicate that a determination has been made that the land is intended for an urban purpose in the future. Although there is a significant difference in the purpose of the two zones, it is considered that the most appropriate zone for the site at this point

in time is the Emerging Community Zone. This is because Council has previously approved a preliminary approval which fundamentally recognises the suitability of the area for urban purpose and establishes a planning framework to assess and determine future reconfiguration and material change of use applications for urban purposes. In addition, as noted earlier the land is now included within the Urban Footprint of the SEQ Regional Plan 2017-2041.

Importantly, including the land within the Emerging Community Zone does not compel Council to also include the area within the Priority Infrastructure Area (the area prioritised for the provision of trunk infrastructure to service the existing and assumed future urban development up to 2027) as identified in its Local Government Infrastructure Plan. Accordingly, the land is not needed for at least the next ten years of growth and therefore there is no requirement for Council to plan infrastructure. Recognising these circumstances, Council can seek to maintain its position that all infrastructure upgrades required to service the new development area remain the responsibility of the developer.

It is unlikely there would be a financial benefit to the developer to make a fresh application for Shoreline once the zone is changed. That is, if the developer decided to lodge a fresh application instead of changing the existing PA (which means the current IA which is attached to the approval falls away) Council would still be able to achieve the same position in respect of who pays for infrastructure, without any additional risk of that infrastructure being converted to trunk and thereby being offset against the developers infrastructure charges.

Additionally, the current rural zoning could result in undesirable amenity and reverse amenity impacts from rural uses establishing within southern Redland Bay, while urban uses are establishing under the Shoreline development approval.

In conclusion, a change from the Rural Zone to Emerging Community Zone is recommended. The change is to occur only over the following lots which are included in the Preliminary Approval for Material Change of Use to vary the effect of the a local planning instrument for a master planned urban community, Council reference MCU013287:

- Lot 2 RP 149309, Lot 8 R 1291, Lot 69 S 31102;
- Lot 70 S 31102, Lot 71 S 31102, Lot 72 S 31102;
- Lot 73 S 31102, Lot 4 RP 105915, Lot 3 RP 105915;
- Lot 1 RP 103265, Lot 2 RP 140163, Lot 1 RP 212251;
- Lot 1 RP 105915, Lot 1 RP 71630, Lot 1 RP 140163;
- Lot 83 S 312432, Lot 84 S 312432, Lot 86 S 312432;
- Lot 255 S 312432, Lot 256 S 312432, Lot 257 S 312432, Lot 259 S 312432, Lot 247 S 312432;
- Lot 252 S 312432, Lot 2 SP 226358, Lot 11 S 268704; and
- Lot 1 SP 289245, Lot 74 SP 289245.

No changes are proposed for the surrounding lots which sit outside of the Shoreline approval, but within the Urban Footprint designation. Such a change of zone would require a major amendment to City Plan and until further structure planning of this area is completed would not be recommended by officers.

It is recommended that Council amend the City Plan in accordance with the proposed amendments outlined in attachment 1, item 23.

Note: This amendment is considered to be a minor amendment in accordance with the Minister's Guidelines and Rules under the Planning Act 2016, Schedule 1, item 2(e).

Amendments to planning scheme policies

Note – The following amendment is proposed under s22 of the Planning Act, ‘Making or amendment planning scheme policies’. Although changes to planning scheme policies are dealt with in a separate section of the Act and the Minister’s Guidelines and Rules, the process to make an administrative/minor amendment to a planning scheme policy is the same as required to make an administrative/minor amendment to a planning scheme under section 20 of the Act. Hence is it included within this amendment package.

24. PSP2 Infrastructure works - changes related to surveying

This amendment proposes to amend an inconsistency and replace outdated terminology in Planning Scheme Policy 2 – Infrastructure Works.

It is recommended that Council amend the City Plan in accordance with the proposed amendments as outlined in attachment 1, item 24.

Note: This amendment is considered to include both an administrative and minor amendment to a planning scheme policy in accordance with the Minister’s Guidelines and Rules under the Planning Act 2016, Schedule 1, item 6.

STRATEGIC IMPLICATIONS

Legislative Requirements

The 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 City Plan will ensure the document remains current and consistent with community expectations.

Financial

The proposed amendments to the City Plan will be funded as part of the operating budget of the City Planning and Assessment Group.

People

The staff resourcing required to make the proposed amendments to the City Plan 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.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
Department of State Development, Manufacturing, Infrastructure and Planning.	Early to mid-2019	Discussions regarding the proposed amendments.
Various Redland City Council staff and Councillor Golle.	Early to mid-2019	Discussions with: <ul style="list-style-type: none"> - Officers who requested changes to the City Plan; - Council's GIS officers to prepare mapping changes; - Councillor Golle regarding the proposed zoning change in South East Thornlands.

OPTIONS**Option One**

That Council resolves to:

1. adopt the general administrative and minor amendment package to City Plan as outlined in Attachment 1 pursuant to Chapter 2, Part 1, Section 3.1, Chapter 2, Part 2, Section 6.1 and Chapter 3, Part 1, Section 5.1, of the Minister's Guideline and Rules under the *Planning Act 2016*; and
2. maintain the contents and attachments of this report as confidential until such time that the public notice for the amendment package is published, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

Option Two

That Council resolves to:

1. adopt an amended version of the general administrative and minor amendment package to City Plan as outlined in Attachment 1 (as amended by Council at its General Meeting) pursuant to Chapter 2, Part 1, Section 3.1, Chapter 2, Part 2, Section 6.1 and Chapter 3, Part 1, Section 5.1, of the Minister's Guideline and Rules under the *Planning Act 2016*; and
2. maintain the contents and attachments of this report as confidential until such time that the public notice for the amendment package is published, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

Option Three

That Council resolves to:

1. not proceed with the proposed amendment package; and
2. maintain the contents and attachments of this report as confidential, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

OFFICER'S RECOMMENDATION

That Council resolves to:

1. adopt the general administrative and minor amendment package to City Plan as outlined in Attachment 1 pursuant to Chapter 2, Part 1, Section 3.1, Chapter 2, Part 2, Section 6.1 and Chapter 3, Part 1, Section 5.1, of the Minister's Guideline and Rules under the *Planning Act 2016*; and
2. maintain the contents and attachments of this report as confidential until such time that the public notice for the amendment package is published, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information.

Attachment 1:

Proposed changes for the general administrative and minor amendment package (07/19)

Introduction

The following document details the proposed changes to the current version of the Redland City Plan 2018 – Version 2.0 (City Plan). These changes are referred to as the General Administrative and Minor Amendment Package 07/19.

Each item deals with a particular section/s of the scheme that is/are proposed to be amended. Not all sections of the scheme are proposed to be amended.

Only enough of the scheme has been reproduced in each case to give context to the proposed change. Not all sections are reproduced in their entirety. If you require further context or wish to examine how the proposed change fits within the entire section where the amendment is proposed to take place, then you will need to refer to a full copy of the City Plan V2.

Conventions

In this document all proposed changes to the City Plan are **highlighted in yellow**.

Where sections are highlighted in yellow and have a strikethrough line this indicates where text/numbers are proposed to be deleted.

~~Deleted text appears like this.~~

Where sections are highlighted in yellow but do not have a strikethrough line then this indicates where new text/numbers are proposed to be inserted.

Inserted words appear like this.

Where a section or numbered item has been deleted or a new item inserted subsequent sections will need to be renumbered appropriately.

Item 1 – Correct typing errors in the Specialised Centre and Community Facility Zone codes

Proposed Amendments

1. Correct the erroneous word in Table 6.2.11.3.1 of the Specialised Centre Zone Code (Performance Outcome PO14):

Performance outcomes	Acceptable outcomes
PO14 Development maximises accessibility er for pedestrians and cyclists by providing safe and convenient links to public transport stops and routes and external pedestrian and cycle paths.	No acceptable outcome is nominated.

2. Correct the erroneous word in Table 6.2.19.3.1 of the Community Facility Zone Code (Performance Outcome PO13):

Performance outcomes	Acceptable outcomes
PO13 Development maximises accessibility er for pedestrians and cyclists by providing safe and convenient links to public transport stops, external pedestrian and cycle paths and nearby centres and community facilities.	No acceptable outcome is nominated.

Item 2 - Modify the explanation of the term 'Southern Moreton Bay Islands'

Proposed Amendments

1. Amend the explanation of the term 'Southern Moreton Bay Islands' in two sections of the City Plan as follows:

1.7 Local government administrative matters

1.7.1 Southern Moreton Bay Islands

1. Where used in this planning scheme, the term "Southern Moreton Bay Islands" refers to the islands of Karragarra, Macleay, **Perulpa**, Lamb and Russell Islands.
2. To remove any doubt, the term does not include Coochiemudlo, Peel or North Stradbroke islands.

6.2.4 Character residential zone code

6.2.4.2 Purpose

(1) The purpose of the code is to provide for island living areas characterised by dwelling houses on the Southern Moreton Bay Islands - Karragarra, Macleay, **Perulpa**, Lamb and Russell Islands.

Item 3 - Modify a legislation reference in the Waterway corridors and wetlands overlay code

Proposed Amendments

1. Include the year 2014 when describing the Environmental Offsets Act.

8.2.11.2 Purpose

1. The purpose of the waterway corridors and wetlands overlay code is to manage development to avoid significant impacts on matters of national, state and local environmental significance, specific to the environmental values of waterways and wetlands.
2. The purpose of the code will be achieved through the following overall outcomes:
 - a. development is compatible with the environmental values of a waterway or wetland;
 - b. water quality in waterways and waterbodies is maintained or improved;
 - c. riparian vegetation, in-stream aquatic ecology and biodiversity along waterway corridors and around wetlands are maintained or enhanced;
 - d. natural hydrological and geomorphological processes (including bank stability) are maintained;
 - e. impacts on waterways and wetlands are minimised and mitigated; and
 - f. development does not increase long term maintenance or management costs of natural or man-made water bodies to the community.

Editor's note—The healthy waters code may also contain requirements that applicants must have regard to.

Editor's note—Applicants should be aware that in addition to the requirements of this planning scheme, obligations for the protection of many matters of ecological significance are established by the Commonwealth and Queensland governments. Additional approvals or referrals may be required as a consequence. Any environmental offsets are to be consistent with the Queensland Government's *Environmental Offsets Act 2014*.

Item 4 - Amend outdated terminology relating to the infrastructure plan

Proposed Amendments

1. Amend the editor's note in section 9.3.2.2 of the Infrastructure Works Code.

9.3.2.2 Purpose

...

Editor's note—The location, design and functionality of trunk infrastructure networks are identified in the ~~priority infrastructure plan~~ **local government infrastructure plan** which forms part 4 of this planning scheme.

Item 5 – Amend references to the reconfiguring a lot code

Proposed Amendments

1. Amend the description of the reconfiguring a lot code in table 5.5.1 as follows:

Table 5.5.1 Reconfiguring a lot

Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development.
Conservation Environment management	Impact assessment	
	If not being undertaken by Redland City Council	The planning scheme
Emerging community	Impact assessment	
	If creating any lot less than 10ha	The planning scheme
Tourist accommodation zone Character residential zone	Impact assessment	
	All	The planning scheme
Rural	Impact assessment	
	All	The planning scheme
Code assessment		
Any other reconfiguring a lot not listed in this table. Any reconfiguring a lot listed in this table and not meeting the description listed in the categories of development and assessment column.		Reconfiguration code Reconfiguring a lot code The relevant zone code Healthy waters code Infrastructure works code Landscaping code Transport, servicing, access and parking code

Editor's note - The above categories of development and assessment apply unless otherwise prescribed in the Regulation.

Item 6 – Amend references to the landscape code

Proposed Amendments

1. Amend the description of the landscape code in multiple areas of the *Redland City Plan 2018* as follows:

Table 5.4.1—Low density residential zone

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Community care centre Community use	Code assessment	
	If total gross floor area of the proposed use and any existing community care centre or community use does not exceed 250m ²	Low density residential zone code Healthy waters code Infrastructure works code Landscaping code Landscape code Transport, servicing, access and parking code

The above is an example of the change. It is noted that there are multiple instances where this amendment is needed as the only part of the scheme which correctly references the Landscape code is the code itself and the contents page. The amendment will need to apply to:

1. Table 5.4.1 (as per the example above);
2. Tables 5.4.2 and 5.4.3;
3. Tables 5.4.5 through to table 5.4.13;
4. Table 5.4.15 through to table 5.4.22;
5. Table 5.5.1; and
6. The editor’s note in the acceptable outcome related to PO12 of table 9.3.5.3.1 of the transport, servicing, access and parking code.

Item 7 – Amend ‘and’ ‘or’ statements in multiple zone codes

Proposed Amendments

- Amend the wording of the performance outcomes and acceptable outcomes as follows:

6.2.11 Specialised centre zone code

Table 6.2.11.3.1—Benchmarks for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
<p>PO19 Development involving the use, storage and disposal of hazardous materials, hazardous chemicals, dangerous goods and flammable or combustible substances does not cause: 1. a public health or safety hazard; or 2. environmental harm or nuisance.</p> <p>Development involving the use, storage and disposal of hazardous materials, hazardous chemicals, dangerous goods and flammable or combustible substances does not cause a public health or safety hazard or environmental harm or nuisance.</p>	<p>AO19.1.1 Off site impacts do not exceed:</p> <ol style="list-style-type: none"> for any hazard scenario involving the release of gases or vapours: <ol style="list-style-type: none"> AEGL2 (60 minutes) or if not available ERPG2; and An oxygen content in air <19.5% or >23.5% at normal atmospheric pressure; and for any hazard scenario involving fire or explosion: <ol style="list-style-type: none"> 7kPa overpressure; and 4.7kW/m² heat radiation. <p>OR</p> <p>AO19.1.2 The risk of any foreseeable hazard scenario shall not exceed an individual fatality risk level of 0.5 x 10⁻⁶/year.</p>

6.2.18 Mixed use zone code

Table 6.2.18.3.1—Benchmarks for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
<p>PO14 Development involving the use, storage and disposal of hazardous materials, hazardous chemicals, dangerous goods and flammable or combustible substances does not cause: 3. a public health or safety hazard; or 4. environmental harm or nuisance.</p> <p>Development involving the use, storage and disposal of hazardous materials, hazardous chemicals, dangerous goods and flammable or combustible substances does not cause a public health or safety hazard or environmental harm or nuisance.</p>	<p>AO14.1 Off site impacts do not exceed:</p> <ol style="list-style-type: none"> for any hazard scenario involving the release of gases or vapours: <ol style="list-style-type: none"> AEGL2 (60 minutes) or if not available ERPG2; and An oxygen content in air <19.5% or >23.5% at normal atmospheric pressure; and For any hazard scenario involving fire or explosion: <ol style="list-style-type: none"> 7kPa overpressure; and 4.7kW/m² heat radiation. <p>OR</p> <p>AO14.2 The risk of any foreseeable hazard scenario shall not exceed an individual fatality risk level of 0.5 x 10⁻⁶/year.</p>

6.2.19 Community facilities zone

Table 6.2.19.3.1—Benchmarks for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
<p>PO20 Development involving the use, storage and disposal of hazardous materials, hazardous chemicals, dangerous goods and flammable or combustible substances does not cause: 1. a public health or safety hazard; or 2. environmental harm or nuisance.</p> <p>Development involving the use, storage and disposal of hazardous materials, hazardous chemicals, dangerous goods and flammable or combustible substances does not cause a public health or safety hazard or environmental harm or nuisance.</p>	<p>AO20.1 Off site impacts do not exceed: 1. for any hazard scenario involving the release of gases or vapours: a) AEGL2 (60 minutes) or if not available ERPG2; and b) An oxygen content in air <19.5% or >23.5% at normal atmospheric pressure; and 2. for any hazard scenario involving fire or explosion: a) 7kPa overpressure; and b) 4.7kW/m² heat radiation.</p> <p>OR AO20.2 The risk of any foreseeable hazard scenario shall not exceed an individual fatality risk level of 0.5 x 10⁻⁶/year.</p>

Item 8 – Amend ‘and’ ‘or’ statements in overlay and development codes

Proposed Amendments

1. Amend the wording of the performance outcomes and acceptable outcomes as follows:

8.2.1 Airport environs overlay code

Table 8.2.1.3.1—Benchmarks for development that is accepted subject to requirements assessable development

Performance outcomes	Acceptable outcomes
<p>PO2 Emissions do not adversely impact on air turbulence, aircraft engine operation or visibility in operational airspace.</p>	<p>AO2.1 Development does not result in the release of the following emissions above the OLS contour level shown on overlay map OM-001 (measured in metres AHD):</p> <ol style="list-style-type: none"> (1) gaseous plumes with a velocity exceeding 4.3m per second; (2) smoke, dust, ash or steam; or (3) emissions with depleted oxygen content.

8.2.6 Flood and storm tide hazard overlay code

Table 8.2.6.3.1—Benchmarks for assessable development

Performance outcomes	Acceptable outcomes
<p>PO6 Development does not change inundation characteristics outside the subject site in ways that result in:</p> <ol style="list-style-type: none"> (1) loss of flood storage; (2) loss of or changes to flow paths; (3) acceleration or retardation of flows; (4) any reduction in flood warning times elsewhere on the floodplain; or (5) any other worsening of inundation impacts on other properties or public infrastructure. 	<p>No acceptable outcome is nominated.</p>

8.2.9 Regional infrastructure corridors and substations overlay code

Table 8.2.9.3.1 Benchmarks for assessable development

Performance outcomes	Acceptable outcomes
<p>PO9 Development is located and designed to maintain access to major electricity or bulk water supply infrastructure.</p>	<p>PO9.1 Development does not involve:</p> <ol style="list-style-type: none"> (1) fences constructed along the boundaries of, or traversing existing or proposed infrastructure easements; (2) storage of equipment or materials within or along the boundaries of existing or proposed infrastructure easements; or (3) construction of buildings within or along the boundaries of existing or proposed infrastructure easements.

9.3.4 Reconfiguring a lot code

Table 9.3.4.3.1— Benchmarks for assessable development

Performance outcomes	Acceptable outcomes
<p>PO43 Reconfiguration does not intensify development within an easement held for infrastructure purposes in a way which would:</p> <ol style="list-style-type: none">(1) reduce ease of access to the infrastructure by the provider;(2) increase risk to the safety of people and property; or(3) prejudice the operation or expansion of the infrastructure.	<p>No acceptable outcome is nominated.</p>

Item 9 – Replace outdated terminology relating to Koala legislation

Proposed Amendments

1. Amend the editor's notes within the purpose sections of following three zone codes:

6.2.1 Low density residential zone code

6.2.1.2 Purpose

(3) The purpose of the zone will also be achieved through the following additional overall outcomes for particular precincts:

...

(d) Precinct LDR4: Kinross Road:

- (i) the precinct retains a very low density residential character;
- (ii) retention of habitat within the precinct is maximised;
- (iii) development assists in the safe movement of koalas;

Editor's note—Applicants should be aware that the provisions of the ~~South East Queensland Koala Conservation State Planning Regulatory Provisions~~ *Planning Regulation 2017, Schedules 10 (part 10) and 11* also apply to development in this area.

- (iv) housing forms are limited to dwelling houses;
- (v) lot sizes are not reduced below 1,600m², unless the resultant lots are consistent with the density and character of the surrounding established neighbourhood;
- (vi) transport networks are coordinated and interconnected to ensure a high level of accessibility for pedestrians, cyclists, public transport and private vehicles;
- (vii) development on land fronting Boundary Road is designed to:
 - (A) rely on access from the internal street network with no access from Boundary Road;
 - (B) provide convenient pedestrian access from internal streets to Boundary Road; and
 - (C) facilitate landscaping and acoustic treatment of Boundary Road.

6.2.2 Low–medium density residential zone code

6.2.2.2 Purpose

(3) The purpose of the zone will also be achieved through the following additional overall outcomes for particular low-medium density residential precincts:

...

(b) Precinct LMDR2: Kinross Road:

- (i) urban development provides for a mix of housing types and achieves a minimum net residential density of 15 dwellings per hectare;
- (ii) transport networks are coordinated and interconnected to ensure a high level of accessibility for pedestrians, cyclists, public transport and private vehicles;
- (iii) development on land fronting Panorama Drive is designed to: Redland City Plan 2018 – version 1.0 Part 6 Zones—126
 - (A) rely on access from the internal street network with no access from Panorama Drive; and
 - (B) facilitate landscaping and acoustic treatment of Panorama Drive;

(iv) development maintains significant habitat linkages and assists in the safe movement of koalas;

Editor's note—Applicants should be aware that the provisions of the ~~South East Queensland Koala Conservation State Planning Regulatory Provisions~~ *Planning Regulation 2017*, Schedules 10 (part 10) and 11 also apply to development in this area.

(v) development does not compromise or constrain the potential for well designed future urban communities.

6.2.3 Medium density residential zone code

6.2.3.2 Purpose

(3) The purpose of the zone will also be achieved through the following additional overall outcomes for particular medium density residential precincts:

...

(h) Precinct MDR8: Kinross Road and Boundary Road and precinct MDR9: Kinross Road:

(i) urban development provides for a mix of housing types and achieves a minimum net residential density of 44 dwellings per hectare;

(ii) development provides for a high level of accessibility to nearby local centres and community facilities; Redland City Plan 2018 – version 1.0 Part 6 Zones—150

(iii) transport networks are coordinated and interconnected to ensure a high level of accessibility for pedestrians, cyclists, public transport and private vehicles;

(iv) development on land fronting Boundary Road and Panorama Drive is designed to:

(A) rely on access from the internal street network with no access from Boundary Road and Panorama Drive; and

(B) facilitate landscaping and acoustic treatment of Boundary Road and Panorama Drive;

(v) development maintains significant habitat linkages and assists in the safe movement of koalas;

Editor's note—Applicants should be aware that the provisions of the ~~South East Queensland Koala Conservation State Planning Regulatory Provisions~~ *Planning Regulation 2017*, Schedules 10 (part 10) and 11 also apply to development in this area.

(vi) development does not compromise or constrain the potential for well designed future urban communities;

(vii) building height in precinct MDR8 Kinross Road and Boundary Road is compatible with that of surrounding residences.

Item 10 – Correct missing references

Proposed Amendments

1. Amend the following acceptable outcomes within table 9.3.5.3.1

Table 9.3.5.3.1—Benchmarks for development that is accepted subject to requirements and assessable development

<p>PO9 Car parking and internal circulation is designed and constructed to:</p> <ol style="list-style-type: none"> 1. provide a clear internal movement hierarchy; 2. separate servicing and customer parking and circulation functions as far as possible; 3. discourage high vehicular speed and short-cutting; 4. be clearly distinguishable from pedestrian entries and paths; 5. be easily negotiated by vehicles and pedestrians, including persons with a disability; 6. ensure vehicles do not reverse into areas of high pedestrian activity; and 7. optimise safety and security of users. 	<p>AO9.1 Parking is provided in accordance Minimum On-Site Vehicle Parking Requirements, Minimum Circulation Road Width in Car Parking Areas and Maximum Longitudinal Grades in Car Parking Areas in Planning Scheme Policy 2 – Infrastructure works.</p> <p>AO9.2 The layout of car parking areas and structures complies with the internal movement system in Section 3.7.1 internal movements in car parking areas in Planning Scheme Policy 2 – Infrastructure works.</p> <p>AO9.3 Parking areas comply with:</p> <ol style="list-style-type: none"> 1. Australian Standard 2890.1: 2004 - Parking Facilities – Off-Street Car Parking; and 2. the standards set out in Planning Scheme Policy 2 – Infrastructure works
<p>PO18 Provision is made for any queuing to be accommodated within the development site, so that external traffic operations are not obstructed, and designed to avoid conflict with internal intersections or manoeuvring areas. Editor's note—Entry queues are of primary importance since they have the potential to most readily obstruct external traffic operations, but exit queues can also disrupt internal circulating traffic thereby blocking entry lanes.</p>	<p>AO18.1 Queuing is accommodated in accordance with Section 3.8.1 minimum on-site queuing requirements and the standards contained in Planning Scheme Policy 2 – Infrastructure works.</p>

Item 11 – Incorporate references to the Multiple Dwelling Design Guide

Proposed Amendments

1. Amend the tables of assessment as follows to include editor's notes referencing the MDDG:

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
Multiple dwelling Residential care facility Retirement facility Rooming accommodation	Code assessment	
	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 Editor's note – Council has developed a Multiple Dwelling Design Guide to assist applicants in achieving high standard design outcomes for multiple dwellings. It is recommended that this document is used as a reference document to support the assessment benchmarks in this 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
Multiple dwelling Residential care facility Retirement facility Rooming accommodation Short term accommodation	Code assessment	
	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 Editor's note – Council has developed a Multiple Dwelling Design Guide to assist applicants in achieving high standard design outcomes for multiple dwellings. It is recommended that this document is used as a reference document to support the assessment benchmarks in this planning scheme.

2. Amend the zone benchmarks for assessment tables as follows to include editor's notes referencing the MDDG:

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

Table 6.2.2.3.1—Benchmarks for assessable development

For assessable development	
Editor's note – Council has developed a Multiple Dwelling Design Guide to assist applicants in achieving high standard design outcomes for multiple dwellings. For developments involving multiple dwellings, it is recommended that this document is used as a reference document to support the assessment benchmarks in this planning scheme.	
Non residential uses	
PO2 Non-residential uses, only occur where they: <ol style="list-style-type: none"> 1. are for a community service function; 2. are located on a major road or are integrated with residential activities as part of a mixed use development; 3. do not unduly detract from residential amenity; 4. are small scale; and 5. do not impact on the function of any nearby centre. 	No acceptable outcome is nominated.

6.2.3.3 Medium density residential zone code – Specific benchmarks for assessment

Table 6.2.3.3.1—Benchmarks for assessable development

For assessable development	
Editor's note – Council has developed a Multiple Dwelling Design Guide to assist applicants in achieving high standard design outcomes for multiple dwellings. For developments involving multiple dwellings, it is recommended that this document is used as a reference document to support the assessment benchmarks in this planning scheme.	
Non residential uses	
PO2 Non-residential uses occur only where they: <ol style="list-style-type: none"> 1. are for a community service function or a local café; 2. are integrated with residential activities as part of a mixed use development; 3. do not unduly detract from residential amenity; 4. are small scale and primarily serve the immediate community; and 5. do not impact on the function of any nearby centre. 	No acceptable outcome is nominated.

Item 12 - Update the designation of premises for development of infrastructure table

Proposed Amendments

1. Amend table SC5.1 as follows:

Schedule 5 Designation of premises for development

Table SC5.1— Designation of premises for development of infrastructure under section 42 of the Act

Date the designation, amendment, extension or repeal takes effect	Location of premises (real property description)	Street address	Type of infrastructure
2 July 1999	Lot 2 C698	Corner of Russell and Wellington Streets, Cleveland	1 (g) – Emergency services facilities
1 June 2001	Lot 1 on RP119834 Lot 2 on RP119834 Lot 3 on RP119834 Lot 501 on SP102115	9 Middle Street, Cleveland	1 (s) any other facility not mentioned in paragraphs (a) to (r) and intended primarily to accommodate government functions Further described as: "Law courts, cells, storage, office functions, amenities, secure parking and support facilities."
Further described as: "Law courts, cells, storage, office functions, amenities, secure parking and support facilities."			
31 March 2000	Lot 1 on C668 Lot 2 on C668 Lot 3 on C668 Lot 6 on C671 Lot 31 on C145614 Lot 32 on C145614 Lot 43 on C145614 Lot 145 on SL11048	Corner of Finucane Road and Delancey Street, Cleveland	1 (s) any other facility not mentioned in paragraphs (a) to (r) and intended primarily to accommodate government functions Further described as: "Administrative offices, conference, accommodation and training facilities, laboratories, glass houses, packing facilities, material store, regulated public access, car parking, farm manager's on site accommodation, teaching and training facilities, commercial activities, fauna hospital, farm machinery storage and fuel store, research, and extension facilities including but not limited to a diverse range of sciences together with support facilities and a range of primary industries."

Further described as:			
"Administrative offices, conference, accommodation and training facilities, laboratories, glass houses, packing facilities, material store, regulated public access, car parking, farm manager's on site accommodation, teaching and training facilities, commercial activities, fauna hospital, farm machinery storage and fuel store, research, and extension facilities including but not limited to a diverse range of sciences together with support facilities and a range of primary industries."			
9 June 2000	Lot 29 on SL11549	Corner of Wellington and Weippin Streets, Cleveland	1 (h) hospital and associated institutions Further described as: "Public and private health facilities plus support facilities including non-acute accommodation, ancillary commercial and medical services, laundry, engineering and maintenance services, teaching and researching facilities, car parking, helipad and accommodation for emergency services."
Further described as:			
"Public and private health facilities plus support facilities including non-acute accommodation, ancillary commercial and medical services, laundry, engineering and maintenance services, teaching and researching facilities, car parking, helipad and accommodation for emergency services."			
3 February 2006	Lot 1 on CP905844 (part) Lot 139 on SP137447 (part)	Randall Road, Birkdale	1 (k) operating works under the Electricity Act 1994. Further described as: "Proposed 33/11 kilovolt Birkdale substation"
Further described as:			
"Proposed 33/11 kilovolt Birkdale substation"			
30 March 2006	Lot 2 on RP815062 (part)	127 Birkdale Road, Birkdale	1 (o) transport infrastructure
30 March 2006	Lot 2 on SP148430 (part)	2 Haig Road, Birkdale	1 (o) transport infrastructure
30 March 2006	Lot 1 on RP86393 (part)	163 Collingwood Road, Birkdale	1 (o) transport infrastructure
30 March 2006	Lot 2 on RP86393 (part)	167 Collingwood Road, Birkdale	1 (o) transport infrastructure
30 March 2006	Lot 7 on RP14104 (part)	175 Collingwood Road, Birkdale	1 (o) transport infrastructure
30 March 2006	Lot 2 on RP139096 (part)	613 Main Road, Wellington Point	1 (o) transport infrastructure
30 March 2006	Lot 14 on RP113406 (part)	75 Starkey Street, Wellington Point	1 (o) transport infrastructure

30 March 2006	Lot 1 on RP104887	598 Main Road, Wellington Point	1 (o) transport infrastructure
30 March 2006	Lot 2 on RP178370 (part)	82 Redland Bay Road, Capalaba	1 (o) transport infrastructure
21 January 2009	Lot 48 on SL12849	77 Ziegenfusz Road, Thornlands	1 (f) - Education facilities
21 January 2009	Lot 3 on SP204523	33-37 Gordon Road, Redland Bay	(g) emergency services facilities Redland City Council - Redland Bay Fire and Rescue Station. The designation for community infrastructure is made subject to the following requirements - An offset for the net benefit of koalas and koala habitat is to be provided as agreed between the Environmental Protection Agency and Department of Emergency Services.
Redland City Council - Redland Bay Fire and Rescue Station. The designation for community infrastructure is made subject to the following requirements - An offset for the net benefit of koalas and koala habitat is to be provided as agreed between the Environmental Protection Agency and Department of Emergency Services.			
2 December 2011	Lot 2 on CP910606	36 Wellington Street, Cleveland	(7) emergency services facilities (15) storage and works depots and the like including administrative facilities associated with the provision or maintenance of the community infrastructure mentioned in this part. Rebuilding of the Cleveland Ambulance Station and associated facilities on the site.
Rebuilding of the Cleveland Ambulance Station and associated facilities on the site.			
19 December 2013	Lot 2 on SP213903 & Lots 1 and 2 on RP808662	221 & 223 Mount Cotton Road & 2/10 Natasha Street, Capalaba	(7) emergency services facilities (9) hospitals and associated institutions (15) storage and works depots and the like including administrative facilities associated with the provision or maintenance of the community infrastructure mentioned in this part.
Development of the Capalaba Emergency Services Precinct (comprising the existing Ambulance Station and proposed extensions to the existing Fire and Rescue Station) and the temporary Fire and Rescue Station and associated facilities.			

20 December 2013	Lots 1 and 2 on RP808662 and Lot 2 on SP213903	221 and 223 Mount Cotton Road and 2/10 Natasha Street, Capalaba	<p>(7) emergency services; facilities;</p> <p>(9) hospitals and associated institutions; and</p> <p>(15) storage and works depots and similar facilities, including administrative facilities associated with the provision or maintenance of the community infrastructure mentioned in this part.</p> <p>Development of the Capalaba Emergency Services Precinct (comprising the existing Ambulance Station and proposed extensions to the existing Fire and Rescue Station) and the temporary Fire and Rescue Station and associated facilities.</p>
29 August 2014	Lot 14 on RP122267	24-26 High Street, Russell Island	<p>(7) emergency services facilities</p> <p>(9) hospitals and associated institutions</p> <p>(15) storage and works depots, inc. admin facilities assoc. with provision or maint. of the CID in this part</p> <p>Russell Island Ambulance Station</p>
16 August 2016	Lot 197 on SP241130 Lot 198 on SP241130	150 Mount Cotton Road, Capalaba (Capalaba State College and Early Years Service)	<p>(4) community and cultural facilities, including facilities where an education and care service under the Education and Care Services National Law (Queensland) is operated or a QEC approved service under the Education and Care Services Act 2013 is operated, community centres, meeting halls, galleries and libraries</p> <p>(6) educational facilities</p> <p>(15) storage and works depots and similar facilities, including administrative facilities associated with the provision or maintenance of the community infrastructure mentioned in this part</p>
18 August 2017	Lot 11 C696 Lot 2 C697	20-42 Smith Street, Cleveland	<p>(6) educational facilities</p> <p>(15) storage and works depots, inc. admin facilities assoc. with provision or maint. of the CID in this part</p> <p>(4) community & cultural facilities, inc. where an education & care service under the Education and Care Services National Law (Queensland)</p>

			The land has been designated for the Cleveland District State High School at Cleveland.
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Item 13 – Clarification of acceptable outcomes which are not alternatives to the Queensland Development Code

Proposed Amendments

1. Amend tables 5.6.1 and 6.2.1.3.1 as follows:

Table 5.6.1—Building work

Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Low density residential zone	Accepted	
	If not accepted subject to requirements	
	Accepted subject to requirements Editor's note—Building work for Dwelling houses not complying with the relevant acceptable outcomes will require a concurrence agency referral to Council under schedule 9 of the Regulation, or trigger a code assessable Building Work Assessable Against the Planning Scheme application. Refer to the editor's notes in Table 6.2.1.3.1 for further clarification. Editor's note – The Some of the acceptable outcomes for detached houses in the Low density residential code are alternative provisions to the Queensland Development Code.	
	If a : (1) dwelling house: a) in precincts LDR2, LDR3 or LDR4; or b) in Raby Bay, Aquatic Paradise or Sovereign Waters and adjoining a canal or artificial water body; or (2) dual occupancy in Raby Bay, Aquatic Paradise or Sovereign Waters and adjoining a canal or artificial water body.	Low density residential zone code
Accepted development		
Any other building work not listed in this table.		

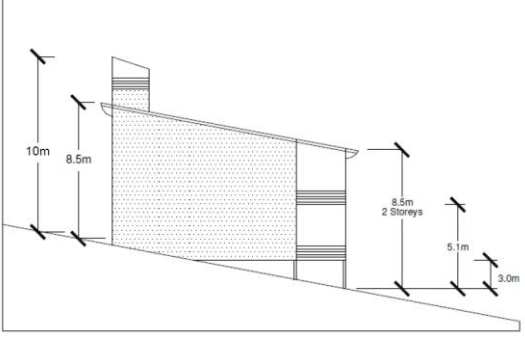
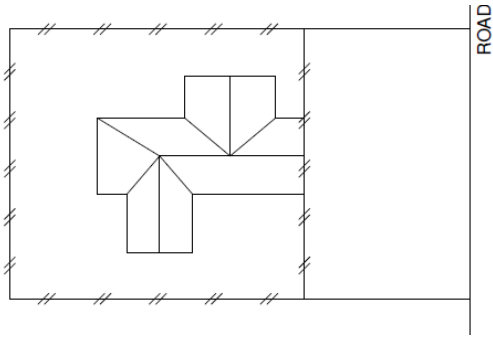
Editor's note—The above categories of development assessment apply unless otherwise prescribed in the Regulation.

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

Performance outcomes	Acceptable outcomes
For development that is accepted subject to requirements and assessable development	
Dual occupancies and dwelling houses	
<p>PO6</p> <p>Development in Raby Bay, Aquatic Paradise and Sovereign Waters is set back from a property boundary adjoining a revetment wall to:</p> <p>(1) Reduce the risk to new structures from the construction, maintenance, structural deterioration or failure of revetment walls;</p> <p>(2) Maintain the structural stability of revetment walls;</p> <p>(3) Provide unimpeded access to allow for the maintenance of revetment walls.</p> <p>Note — All structural elements off a building or structure (e.g. retaining walls and pools), including footings, structural steel and reinforced concrete portions, must comply with the Building Code Of Australia (BCA). The BCA is a uniform set of technical provisions for the design and construction of buildings and structures throughout Australia. The BCA is produced and maintained by the Australian Building Codes Board (ABCB), and given legal effect in Queensland under the Building Act 1975.</p> <p>The BCA requires all buildings and structures to be structurally sound. Where an engineering design is necessary, a building certifier will generally require the building or structure to be certified by a Registered Professional Engineer who is registered to practice in Queensland to confirm that these elements meet minimum structural standards and comply with any relevant Australian Standards.</p>	<p>AO6.1</p> <p>Development is set back 9m from the property boundary adjoining a revetment wall.</p> <p>Editor's note – This acceptable outcome is not an alternative provision for the purposes of the Queensland Development Code. Where building work for a dwelling house/dual occupancy does not meet the acceptable solution, a code assessable Building Works Assessable Against the Planning Scheme application will be triggered.</p>
<p>PO7</p> <p>Development in Raby Bay, Aquatic Paradise and Sovereign Waters maintains the amenity of adjoining premises by;</p> <p>(1) maintaining consistency with the setbacks of adjoining buildings and structures; and</p> <p>(2) not dominating or detracting from the built form, waterway and landscape setting of the location.</p>	<p>AO7.1</p> <p>Dwelling houses and dual occupancies (including outbuildings) are set back 9m from the property boundary adjoining a canal wall, revetment wall or bank of an artificial water body.</p> <p>Editor's note—Applicants should also be aware that structures near a canal or revetment wall must maintain the structural integrity of the wall, in accordance with the Building Code of Australia. Any construction closer than 9m would need to be supported by the correct building structural design certificates which prove that any works within this distance will not cause any movement or damage to the existing revetment wall or bank which may have a limited capacity to withstand additional</p>

Performance outcomes	Acceptable outcomes
	<p>loadings. These matters are to be addressed in any application for building works.</p> <p>Editor's note – This acceptable outcome is an alternative provision for the purposes of the Queensland Development Code. Building works for a dwelling house/dual occupancy not complying with this acceptable outcome will require a concurrence agency referral to Council under schedule 9 of the Regulation.</p>
<p>Dual occupancies and dwelling houses in precinct LDR3 Point Lookout residential</p> <p>Editor's note—A number of the following acceptable outcomes are alternative provisions for the purposes of the Queensland Development Code.</p>	
<p>PO8 Development minimises the extent of earthworks.</p>	<p>AO8.1 Excavation and fill is limited to: (1) maximum cut of 1.2m below ground level; and (2) maximum fill of 1.2m above ground level.</p> <p>AO8.2 Retaining walls have a maximum height of 600mm at the street frontage.</p> <p>AO8.3 Benched areas for driveways and landscape areas do not exceed 25m².</p> <p>Editor's note – The above acceptable outcomes (AO8.1, 8.2 and 8.3) are not alternative provisions for the purposes of the Queensland Development Code. Where building work for a dwelling house does not meet the acceptable solution/s, a code assessable Building Works Assessable Against the Planning Scheme application will be triggered.</p>
<p>PO9 Buildings have a limited site cover in order to maintain an open, low density character.</p>	<p>AO9.1 Site cover does not exceed 30% of site area.</p> <p>Editor's note – This acceptable outcome is an alternative provision for the purposes of the Queensland Development Code. Building works for a dwelling house not complying with this acceptable outcome will require a concurrence agency referral to Council under schedule 9 of the Regulation.</p>
<p>PO10 Development takes the form of a series of small scale building components which reduce the overall bulk and obtrusiveness of buildings.</p>	<p>AO10.1 The size of any single detached building component does not exceed: (1) 150m² when the building height is not more than 4.5m above ground level; or (2) 140m² when the building height is over 4.5m above ground level.</p>

Performance outcomes	Acceptable outcomes
	<p data-bbox="831 255 1430 465">Editor's note – This acceptable outcome is an alternative provision for the purposes of the Queensland Development Code. Building works for a dwelling house not complying with this acceptable outcome will require a concurrence agency referral to Council under schedule 9 of the Regulation.</p> <p data-bbox="831 483 927 510">AO10.2</p> <p data-bbox="831 524 1430 613">Each detached building component is separated by 4m to the outermost projection of any other detached building on the site.</p> <p data-bbox="831 631 1145 658">Figure 6.2.1.3.1 illustrates.</p> <div data-bbox="842 676 1347 1093"> <p>The diagram illustrates two detached building components on a site. A horizontal dimension line at the top indicates a '4m minimum distance (outermost projection)' between the two buildings. The left building has a floor area of '140m² or 150m² maximum'. The right building has a floor area of '140m² or 150m² maximum'. At the bottom right of the diagram, it states '30% Maximum Site Coverage'.</p> </div> <p data-bbox="831 1115 1385 1142">Figure 0.1—Detached building components</p> <p data-bbox="831 1214 1430 1424">Editor's note – This acceptable outcome is not an alternative provision for the purposes of the Queensland Development Code. Where building work for a dwelling house does not meet the acceptable solution, a code assessable Building Works Assessable Against the Planning Scheme application will be triggered.</p>
<p data-bbox="204 1456 272 1482">PO11</p> <p data-bbox="204 1496 687 1523">The height of a building does not unduly:</p> <ol data-bbox="204 1536 746 1599" style="list-style-type: none"> (1) overshadow adjoining houses; and (2) obstruct the outlook from adjoining lots. 	<p data-bbox="831 1456 922 1482">AO11.1</p> <p data-bbox="831 1496 1430 1585">For slopes up to 15%, building height is 8.5m, except for roofs or pergolas covering decks. These may extend to 10m above ground level, providing:</p> <ol data-bbox="831 1599 1406 1747" style="list-style-type: none"> (1) they cover an area of no more than 10m²; (2) there is only one such covered areas on each detached building component on the site; and (3) the covered area is not enclosed by walls. <p data-bbox="831 1760 1430 1935">Editor's note—This provision establishes an alternative solution to the Queensland Development Code for buildings on slopes <15%. For buildings on slopes >15%, the acceptable solution under the Queensland Development Code applies.</p>
<p data-bbox="204 1957 272 1984">PO12</p>	<p data-bbox="831 1957 922 1984">AO12.1</p>

Performance outcomes	Acceptable outcomes
<p>Buildings are stepped to mirror the slope of the land and do not result in buildings established substantially above ground level.</p>	<p>Floor level (including decks and verandahs) does not exceed a height of:</p> <ol style="list-style-type: none"> (1) 3m above ground level for the first level of the building; and (2) 5.1m above ground level for the uppermost level of the building. <p>Figure 6.2.1.3.2 illustrates.</p>  <p>Figure 0.2—Floor levels and building height</p> <p>Editor's note – This acceptable outcome is not an alternative provisions for the purposes of the Queensland Development Code. Where building work for a dwelling house does not meet the acceptable solution, a code assessable Building Works Assessable Against the Planning Scheme application will be triggered.</p>
<p>PO13 Fences do not dominate the street frontage.</p>	<p>AO13.1 Fences:</p> <ol style="list-style-type: none"> (1) are not established beyond the front building line; (2) have a maximum height of 1.5m; and (3) are of open timber construction. <p>Figure 6.2.1.3.3 illustrates.</p>  <p>Figure 0.3—Fences</p> <p>Editor's note – This acceptable outcome is not an alternative provision for the purposes of the Queensland Development Code. Where building work for a dwelling house does not meet the acceptable solution, a code assessable Building Works Assessable Against the Planning Scheme application will be triggered.</p>

Performance outcomes	Acceptable outcomes
<p>PO14</p> <p>Buildings, other than those located in a high potential bushfire intensity area or very high potential bushfire intensity area on Overlay Map OM-004, incorporate predominantly light weight, sub tropical architectural styles and elements.</p>	<p>AO14.1</p> <p>Buildings:</p> <ol style="list-style-type: none"> (1) use light weight finishes such as timber and fibre cement, except for retaining walls and major structural elements; (2) are provided with eaves at least 600mm wide; (3) incorporate verandahs or decks; and (4) use non reflective sheet material for roofing. <p>Editor's note – This acceptable outcome is not an alternative provision for the purposes of the Queensland Development Code. Where building work for a dwelling house does not meet the acceptable solution, a code assessable Building Works Assessable Against the Planning Scheme application will be triggered.</p>
<p>PO15</p> <p>A landscaped area capable of sustaining mature trees is provided along the full street frontage.</p>	<p>AO15.1</p> <p>A landscape area with a minimum width of 2m is provided along the full frontage of any road (excluding cross over and pedestrian access).</p> <p>Editor's note – This acceptable outcome is not an alternative provision for the purposes of the Queensland Development Code. Where building work for a dwelling house does not meet the acceptable solution, a code assessable Building Works Assessable Against the Planning Scheme application will be triggered.</p>

Item 14 - Healthy waters code – various amendments

9.3 Other Development Codes

9.3.1 Healthy waters code

9.3.1.1 Application

This code applies to development where the healthy waters code is identified as applicable in the tables of assessment.

When using this code, reference should be made to section 5.3.2 and, where applicable, section 5.3.3, in Part 5.

9.3.1.2 Purpose

(1) The purpose of the healthy waters code is to ensure that development manages stormwater run-off and protects the ~~environmental values of receiving waters~~ receiving waterways.

(2) The purpose of the code will be achieved through the following overall outcomes:

- (a) the environmental values of the city's waterways are protected or enhanced;
- (b) stormwater run-off does not adversely impact on the quality of receiving waters, including waterways, wetlands and Moreton Bay;
- (c) stormwater is managed to ensure the impacts of overland flow or flooding are not worsened for people or property;
- (d) a natural flow regime, including flow paths and quantity, is maintained as far as possible;
- (e) potential adverse impacts as a result of disturbing acid sulfate soils, erosion or sediment flow are avoided;
- (f) stormwater, water quality and erosion control infrastructure is provided in a costeffective and efficient manner; and
- (g) stormwater, water quality and erosion control infrastructure is designed and located to minimise whole-of-lifecycle costs.

Editor's note—The location, design and functionality of the trunk stormwater network ~~are~~ is identified in the local government infrastructure plan which forms part 4 of this planning scheme.

9.3.1.3 Healthy waters code – Specific benchmarks for assessment Table 9.3.1.3.1— Benchmarks for assessable development

Performance outcomes	Acceptable outcomes
For assessable development	
Stormwater Drainage Design	
Editor's note—In order to demonstrate compliance with the performance outcomes in this section, a stormwater management plan is likely to be required. This should be prepared in accordance with the matters specified in Planning Scheme Policy 2 – Infrastructure works.	
PO1	AO1.1

<p>To the extent practicable, natural drainage lines are retained, and their natural hydraulic capacity and channel characteristics are maintained or re-established.</p>	<p>All existing natural waterways and overland flow paths are retained.</p> <p>AO1.2 The stormwater management system is designed in accordance with Planning Scheme Policy 2 – Infrastructure works.</p>
<p>PO2</p> <p>On-site storm water management systems do not rely on the retention of existing artificial water bodies being retained, except where such water bodies:</p> <ol style="list-style-type: none"> (1) perform significant ecological, water quality or recreation functions; (2) do not pose a significant risk to stream health or water quality; (3) are structurally sound; (4) do not pose any risk to community health and safety; and (5) will not create impose a significant maintenance or cost burden on the community over in the short or long terms. 	<p>No acceptable outcome is nominated.</p> <p>Editor's note—Council would generally expect that such waterbodies are not retained as many are currently in poor condition and need substantial rectification remediation. Where an existing waterbody is proposed to be retained as an integral component of water management on the site, an assessment should be done in accordance with Planning Scheme Policy 2 – Infrastructure works. This assessment should be done in conjunction with an ecological assessment report so that conflicts between competing environmental values can be identified and resolved.</p>
<p>PO3</p> <p>The stormwater drainage system maintains the pre-development velocity and quantity volume of run-off outside of external to the site and does not otherwise worsen or cause nuisance to adjacent, upstream and downstream land.</p>	<p>AO3.1</p> <p>Stormwater drainage is designed in accordance with Planning Scheme Policy 2 – Infrastructure works.</p>
<p>PO4</p> <p>Stormwater drainage is designed and constructed to convey stormwater flow resulting from the relevant design storm event under normal operating conditions.</p>	<p>AO4.1</p> <p>Stormwater drainage design meets the stormwater flow capacity requirements of the following design storm events:</p> <ol style="list-style-type: none"> (1) where for the minor drainage system - as detailed in Table 9.3.1.3.2 - Minor Drainage System Design Storm Event by Road Frontage Classification and Zone; or (2) where for the major drainage system – 1% AEP. <p>Editor's note—Refer to section 7 of the Queensland Urban Drainage Manual for descriptions of major and minor drainage systems.</p>
<p>PO5</p> <p>The stormwater drainage system is designed to function in the event of a minor system blockage.</p>	<p>AO5.1</p> <p>The major drainage system caters for 50% blockage in the minor drainage system without causing inundation of building floor levels.</p>
<p>PO6</p>	<p>AO6.1</p>

<p>Roof and surface run-off is managed to prevent stormwater flows from entering buildings and to be directed to a lawful point of discharge.</p>	<p>Roof and allotment drainage is provided in accordance with Planning Scheme Policy 2 – Infrastructure works.</p>												
<p>PO7</p> <p>Where located within open space, stormwater devices or functions do not reduce the utility of that space for its intended recreational or ecological functions.</p>	<p>No acceptable outcome is nominated.</p>												
<p>PO8</p> <p>The full extent of maintenance requirements and costs associated with the devices used within the system are minimised.</p>	<p>No acceptable outcome is nominated.</p>												
<p>Water quality – general</p> <p>Editor's note—In order to demonstrate compliance with the performance outcomes in this section, a waste water and stormwater quality management plan may be required. Such assessments should be prepared in accordance with the matters specified in Planning Scheme Policy 2 – Infrastructure works.</p>													
<p>PO9</p> <p>Development contributes to the protection of environmental values of receiving waters and does not adversely impact on water quality in Redland's waterways.</p> <p>Development protects and does not adversely impact the environmental values or water quality of receiving waterways.</p>	<p>For development involving a site area of 2,500m² or more, or six or more residential lots or dwellings:</p> <p>AO9.1</p> <p>Stormwater run-off leaving a development site complies with the following design objectives:</p> <table border="1" data-bbox="783 1205 1385 1469"> <thead> <tr> <th colspan="4">Minimum reductions in mean annual load from unmitigated development (%)</th> </tr> <tr> <th>Total Suspended solids</th> <th>Total phosphorus</th> <th>Total nitrogen</th> <th>Gross pollutants >5 mm</th> </tr> </thead> <tbody> <tr> <td>80</td> <td>60</td> <td>45</td> <td>90</td> </tr> </tbody> </table> <p>Otherwise, no acceptable outcome is nominated.</p>	Minimum reductions in mean annual load from unmitigated development (%)				Total Suspended solids	Total phosphorus	Total nitrogen	Gross pollutants >5 mm	80	60	45	90
Minimum reductions in mean annual load from unmitigated development (%)													
Total Suspended solids	Total phosphorus	Total nitrogen	Gross pollutants >5 mm										
80	60	45	90										
<p>PO10</p> <p>The entry to and transport of contaminants in stormwater or waste water is avoided.</p>	<p>No acceptable outcome is nominated.</p> <p>Editor's note—Applicants should refer to Planning Scheme Policy 2 – Infrastructure works for guidance.</p>												
<p>Water quality – erosion prevention and sediment control</p> <p>Editor's note—In order to demonstrate compliance with the performance outcomes in this section, an erosion and sediment control plan is likely to be required. An erosion hazard assessment may also be required to establish the level risk for erosion and sediment pollution. Such assessments should be prepared in accordance with the matters specified in Planning Scheme Policy 2 – Infrastructure works.</p>													
<p>PO11</p>	<p>No acceptable outcome is nominated.</p>												

<p>Development does not increase either:</p> <ul style="list-style-type: none"> (1) the sediment concentration of sediment in waters or stormwater outside the development's sediment treatment train; or (2) run-off which causes erosion either on-site or off-site. 	
<p>PO12</p> <p>Development avoids unnecessary disturbance to soil, waterways or drainage channels.</p>	<p>No acceptable outcome is nominated.</p>
<p>PO13</p> <p>All soil surfaces are effectively stabilised against erosion.</p>	<p>No acceptable outcome is nominated.</p>
<p>PO14</p> <p>The functionality of the stormwater treatment train is protected from the impacts of erosion, turbidity and sedimentation, both within and external to the development site.</p>	<p>No acceptable outcome is nominated.</p>
<p>PO15</p> <p>Areas outside the development site are not adversely impacted by erosion or sedimentation.</p>	<p>No acceptable outcome is nominated.</p>
<p>Water quality – acid sulfate soils</p>	
<p>PO16</p> <p>Within the areas identified as potential acid sulfate soils on Figure 9.3.1.3.1 pPotential acid sulfate soils, the generation or release of acid and metal contaminants into the environment is avoided by:</p> <ul style="list-style-type: none"> (1) not disturbing acid sulfate soils when excavating or otherwise removing soil or sediment, draining or extracting groundwater, and not undertaking filling that results in actual acid sulfate soils being moved below the water table or previously saturated acid sulfate soils being aerated; or (2) where disturbance of acid sulfate soils will not be avoided, development: <ul style="list-style-type: none"> (a) neutralises existing acidity and prevents the generation of acid and metal contaminants; and 	<p>AO16.1</p> <p>Development does not involve:</p> <ul style="list-style-type: none"> (3) excavating or otherwise removing 100m³ or more of soil or sediment at or below 5m AHD; or (4) permanently or temporarily extracting groundwater resulting in the aeration of previously saturated acid sulfate soils; or (5) filling in excess of 500m³ with an average depth of 0.5m or greater that results in: <ul style="list-style-type: none"> (a) actual acid sulfate soils being moved below the water table; or (b) previously saturated acid sulfate soils being aerated.

<p>(b) prevents the release of surface or groundwater flows containing acid and metal contaminants into the environment.</p> <p>Editor's note—Where works are proposed within the areas identified as potential acid sulfate soils, it is likely that an on-site acid sulfate investigation will be requested. Such an investigation should conform to the Queensland Sampling Guidelines and the Laboratory Methods Guidelines or Australian Standard 4969. Where acid sulfate soils are to will be disturbed, an environmental management plan should must be prepared which outlines how the release of acid and metal contaminants is to will be prevented. In preparing a management plan, regard should be given to the guidelines contained in State Planning Policy - State Interest Guideline Water Quality (Part E Supporting Information).</p>	
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No changes to:

- Figure 9.3.1.3.1—Potential acid sulfate soils
- Table 9.3.1.3.2—Minor drainage system design storm event by road frontage classification and zone

Item 15 – Updates to Schedule 4

Proposed Amendments

1. Amend table SC4.1.1 – Notation of decisions under section 89 of the Act.

Table SC4.1.1—Notation of decisions under section 89 of the Act

Date of decision	Location (real property description)	Decision type	File/Map reference
Preliminary approval affecting the scheme (a variation approval)			
Approved (negotiated decision) 11 Dec 2001 Court Order 25 Oct 2002	Lot 3 RP165277	Preliminary approval under the IPA, section 3.1.6 for: Industry Class I, II and III uses, Bulk Store, Caretaker's Residence, Car Repair Station, Motor Vehicle Depot, Public Utility, Service Shop , Truck Depot and Warehouse uses as defined in the Town Planning Scheme and reconfiguration of proposed Lots 1 to 17, park and balance area.	MC006008
25 Jan 2005 Court Order 1 Jun 2005	Lot 16 RP30555 Lot 17 RP30555 Lot 24 RP30555 Lot 25 RP30555 Lot 2 RP48270 Lot 2 RP95747 Lot 3 RP90361 Lot 11 SL1595	Preliminary approval under the IPA, section 3.1.6 for: 1. Mixed use retirement community incorporating: independent and assisted living (attached and detached dwellings) dependent aged care residential local retail and services crèche community facilities 2. Dedicated park land In accordance with Central Redland Bay Plan of Development by Wolters Consulting Pty Ltd and MPS Architects received by RSC 21st January 2005.	MC008369
Approved 07 Feb 2006. Amended (Version 1.8, dated 18 December 2013)	Lot 2 RP221100 Lot 24 RP203700	Preliminary approval under the IPA, section 3.1.6 for: Redlands Business Park - "German Church Road Integrated Employment Centre - Plan of Development - Version 1.8 "dated 18 December 2013	MC008666
9 March 2012 and changed on 19 Jun 2013	Lot 7 RP131749 Lot 8 RP131749 Lot 9 RP131749	Preliminary Approval Overriding the Planning Scheme for a Material Change of Use to establish a Child Care Centre	MC009598

2 May 2012	Lot 1 RP187813	Preliminary approval (under s242 of the Sustainable Planning Act 2009) for a Material Change of Use for Dwelling Houses, Small Lot Houses, Dual Occupancy , Home Business, Relatives Apartment, Domestic Additions, Domestic Outbuilding and Private Swimming Pool and Reconfiguration of a Lot (1 into 8 lots)	MC012446
22 June 2012	Lot 2 RP122781	Development Permit for Reconfiguring a Lot and Preliminary Approval affecting a Local Planning Instrument for a Material Change of Use (Dwelling Houses and Small Lot Houses) PEET – Reconfiguration (98 lots) and PA for MCU (Dwelling Houses and Small Lot Houses)	MC12091 / SB5471
22 June 2012	Lot 2 RP75742	Development Permit for Reconfiguring a Lot and Preliminary Approval affecting a Local Planning Instrument for a Material Change of Use (Dwelling Houses and Small Lot Houses) Ausbuild – Reconfiguration (141 lots) and PA for MCU (Dwelling Houses and Small Lot Houses)	MC12092/ SB5472
23 May 2013	Lot 3 RP173523 Lot 2 RP14813 Lot 14 RP869105 Lot 5 RP14813 Lot 6 RP14813 Lot 1 RP59490 Lot 1 RP869105	Preliminary approval affecting a planning scheme for material change of use and reconfiguring a lot	MC007588 / SB004758
14 January 2014 10 Jan 2014 and changed on 17 Aug 2015	Lot 51 SP157199 Lot 2 RP84645	Preliminary approval affecting a planning scheme for material change of use for education facility	MCU01292 6
26 August 2015	Lot 2 RP815077 Lot 1 RP815078 Lot 2 RP865865	Preliminary approval affecting a planning scheme for material change of use for a neighbourhood centre, open space and residential uses	MC010715
18 November 2015	Lot 2 on RP149309 Lot 8 on R1291 Lots 69, 70, 71, 72, 73 & 74 on S31102 Lot 1 on RP133830 Lots 1, 3 & 4 on RP105915 Lot 11 on SP268704 Lot 2 on SP226358 Lot 1 on RP 212251 Lot 1 on RP103265 Lots 1 & 2 on RP140163 Lot 1 on RP71630 Lots 83, 84 & 86 on S312432	Preliminary approval affecting the planning scheme for a Material Change of Use for a master planned urban community, comprising town centre, town centre frame, residential and open space precincts	MCU01328 7

	Lot 247, 252, 255, 256, 257 & 259 on S312432		
15 December 2016	Lot 1 RP123222	Preliminary approval affecting a planning scheme for material change of use for residential uses	MC010624
Decision conflicting with the scheme Development Approval which is substantially inconsistent with the planning scheme			
4 November 2010	Lot 1 RP65410	Development permit for an Apartment Building (5 Units) and Health Care Centre	MC011884
7 September 2016	Lot 11 SL1595 Lot 500 SP197855 Lot 501 SP277507 Lot 16 RP30555 (in part) Lot 500 SP277507 (in part)	Development permit for reconfiguring a lot for 5 into 91 lots	ROL00600 1
Decision agreeing to a superseded planning scheme request			
1 March 2012	Lot 2 SP196390 Lot 3 SP196390	Development Permit issued under Superseded Planning Scheme for Reconfiguring a Lot into 61 lots and Dwelling Houses	MC011341 / SB005349
1 January 2013	Lot 293 RP31201	Development permit for a dwelling house	MCU01309 7
23 April 2013	Lot 236 RP31201	Development permit for a dwelling house	MCU01296 3
30 October 2013	Lot 293 RP31201	Dwelling house assessed under superseded planning scheme	MCU01309 7

Item 16 - Provide clarity regarding the Queensland Development Code

Proposed Amendments

1. Insert a new item in section 1.6 of the City Plan to indicate that all parts of the QDC MP1.1 and MP1.2 apply.

1.6 Building work regulated under the planning scheme

1. Section 17 (b) of the Regulation identifies that a local planning instrument must not be inconsistent with the effect of building assessment provisions stated in the *Building Act 1975*.
2. The building assessment provisions are listed in section 30 of the *Building Act 1975*.

Editor's note - The building assessment provisions are stated in section 30 of the Building Act 1975 and are assessment benchmarks for the carrying out of building assessment work or building work that is accepted development subject to any requirements (see also section 31 of the Building Act 1975).

3. This planning scheme, through Part 5, regulates building work in accordance with sections 32 and 33 of the *Building Act 1975*.

Editor's note—The *Building Act 1975* permits planning schemes to:

- regulate, for the Building Code of Australia (BCA) or the Queensland Development Code (QDC), matters prescribed under a regulation under the *Building Act 1975* (section 32). These include variations to provisions contained in parts MP1.1, MP1.2 and MP1.3 of the QDC such as heights of buildings related to obstruction and overshadowing, siting and design of buildings to provide visual privacy and adequate sight lines, on-site parking and outdoor living spaces. It may also regulate other matters, such as designating land liable to flooding, designating land as bushfire prone areas and transport noise corridors;
- deal with an aspect of, or matter related or incidental to building work prescribed under a regulation under section 32 of the *Building Act 1975*;
- specify alternative boundary clearances and site cover provisions for Class 1 and 10 structures under section 33 of the *Building Act 1975*.

Refer to Schedule 9 of the Regulation to determine assessable development, the type of assessment and any referrals applying to the building work.

4. The building assessment provisions are contained in the following parts of this planning scheme:
 - a) Table 5.6.1 Building work;
 - b) Table 5.9.1 Assessment benchmarks for overlays;
 - c) 6.2.1 Low density residential zone code;
 - d) 8.2.2 Bushfire hazard overlay code;
 - e) 8.2.3 Coastal protection (erosion prone areas) overlay code;
 - f) 8.2.6 Flood and storm tide hazard overlay code; and
 - g) 8.2.7 Heritage overlay code.

Editor's note - A decision in relation to building work that is assessable development under the planning scheme can only be issued as a preliminary approval. See section 83(b) of the *Building Act 1975*.

Editor's note - In a development application, the applicant may request preliminary approval for building work. The decision on that development application can also be taken to be a referral agency's response under section 56 of the Act, for building work assessable against the *Building Act 1975*.

5. All parts of the Queensland Development Code MP1.1 and MP1.2 including performance criteria 4, 5, 7, 8 and 9 and the corresponding acceptable solutions apply to relevant development pursuant to Section 10(2)(a) of the *Building Act 1975* (unless a relevant alternative provision applies).

Item 17 - Alignment of City Plan to Regulated Requirements in Planning Regulation 2017

Proposed Amendments

The proposed amendments to the Planning Scheme are as follows:

Part 1: Amendments to use codes

Schedule 1 Definitions

SC1.1 Use definitions

1. Use definitions have a specific meaning for the purpose of the planning scheme.
2. Any use not listed in Table SC1.1.2 column 1 is an undefined use.
3. A use listed in Table SC1.1.2 column 1 has the meaning set out beside that term in column 2.
4. Column 3 of Table SC1.1.2 identifies examples of the types of activities which fall within the use identified in column 1.
5. Column 4 of Table SC1.1.2 identifies examples of activities which do not fall within the use identified in column 1.
6. Columns 3 and 4 of Table SC1.1.2 are not exhaustive lists.
7. Uses listed in Table SC1.1.2 columns 3 and 4 which are not listed in column 1 form part of the definition.
8. The use definitions listed here are the definitions used in this planning scheme.

Delete all of 'Table SC1.1.1 – Index of use definitions' and 'Table SC1.1.2 – Use definitions'.

Insert note in planning scheme under the heading SC1.1 Use definitions as follows:

'Note – As prescribed by section 7 of the Planning Regulation the use terms and their definitions are located in schedule 3, columns 1 and 2 of the Regulation.'

SC1.1.1 Defined activity groups

There are no defined activity groups for the planning scheme

SC1.1.2 Industry thresholds

(1) The industry thresholds listed below are to be used in conjunction with the defined uses listed in SC1.1—low impact industry, medium impact industry, high impact industry and special industry.

Table SC1.1.3—Industry thresholds

Retain table SC1.1.3 without change.

Part 2: Amendments to administrative terms

SC1.2 Administrative definitions

- (1) Administrative definitions assist with the interpretation of the planning scheme but do not have a specific land use meaning.
- (2) A term listed in table SC1.2.2 SC1.2.1 column 1 has the meaning set out beside that term in column 2 under the heading.
- (3) The administrative definitions listed here are the definitions for the purpose of the planning scheme.

Delete all of 'Table SC1.2.1 – Index of administrative definitions' and 'Table SC1.2.2 – Administrative definitions'.

Insert notes in planning scheme under the heading SC1.2 Administrative definitions as follows:

'Note—As prescribed by section 8(1) of the Planning Regulation the administrative terms and their definitions are located in schedule 4 columns 1 and 2 of the Regulation.'

'Note – As prescribed by section 8(2) of the Planning Regulation, the Redland City Plan includes administrative terms, other than terms in schedule 4, column 1 of the Regulation. These additional administrative terms and their definitions are provided in Table SC1.2.1 – Additional administrative terms and their definitions.'

Add a new table as follows:

Table SC1.2.1 – Additional administrative terms and their definitions

Column 1 Administrative Term	Column 2 Definition
Defined flood event	The 1% annual exceedance probability (AEP) flood event.
Defined storm tide event	The 1% annual exceedance probability (AEP) storm tide event, including allowance for 10% increase in storm intensity and a sea level rise of 0.8m.
Low-rise	One to two storeys.
Mid-rise	Three to six storeys.
Rear lot	A lot which has access to a road by means only of an access strip which forms part of the lot, or by means only of an easement over adjoining land.

Part 3: Other general consequential amendments

Update the following terms in the City Plan to the regulated requirements terminology as detailed in the table below.

Current City Plan term	New Regulated Requirement term	Change required to the scheme in the following sections to reflect regulated requirements
Air services	Air service	Tables 3.7.1.61 and 9.3.5.3.2
Child care centre	Childcare centre	Sections 1.2 (1,f,xix,(B)) and 6.2.19.2 (2,a,ii). Tables 3.7.1.61, 5.4.5, 5.4.7, 5.4.8, 5.4.9, 5.4.10, 5.4.11, 5.4.12, 5.4.19, 5.4.20, 8.2.2.3.1 PO1 and AO1.1 and PO10, 8.2.6.3.1 PO2, 9.3.5.3.2
Home based business	Home-based business	Table of contents Sections 1.2 (1,i,i,B), 3.2.3, 3.3.1.1, 3.4.1.10, 6.2.1.2, 6.2.2.2, 6.2.3.2, 6.2.4.2, 9.1(3b), Tables 3.7.1.61, 5.4.1, 5.4.2, 5.4.3, 5.4.5, 5.4.6, 5.4.7, 5.4.8, 5.4.9, 5.4.10, 5.4.11, 5.4.14, 5.4.15, 5.4.20, 5.4.21, 5.4.22. All references to home based business in section 9.2.2 (Home based business code), including heading and titles.
Port services	Port service	Tables 3.7.1.61, 5.4.7, 5.4.10, 5.4.18, 5.4.20, 9.3.5.3.2
Veterinary services	Veterinary service	Tables 3.7.1.61, 5.4.7, 5.4.8, 5.4.9, 5.4.10, 5.4.11, 5.4.16, 5.4.19, 5.4.22, 9.3.5.3.2

Part 4: Amendments to zones.

Amend section 2.4 of the scheme as follows:

2.4 Regulated requirements

The Minister has identified that the Queensland Planning Provisions version 4.0 dated January 2016 are appropriately reflected in the planning scheme.

~~The regulated requirements as identified in section 5(2)(a) of the Planning Regulation 2017 are not reflected in this planning scheme~~

Additionally, the parts of the Regulated Requirements identified in sections 6 (1), 7 and 8 of the Planning Regulation 2017 are reflected in this planning scheme.

Item 18 – Amend the table of assessment for the coastal protection (erosion prone areas) overlay

Proposed Amendments

1. Amend the categories of development and assessment within table 5.9.1 Assessment benchmarks for overlays.

Table 5.9.1 Assessment benchmarks for overlays

Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Coastal protection (erosion prone areas) overlay		
Material change of use or building work for: <ol style="list-style-type: none"> 1. dual occupancy; 2. dwelling house; or 3. community residence 	Code assessment Accepted If no building or structure is proposed on land affected by the overlay	
	Code Assessment, if not accepted.	Coastal protection (erosion prone areas) overlay code
Any other material change of use	No change to categories of development and assessment	Coastal protection (erosion prone areas) overlay code where the development is assessable under the table of assessment for the relevant zone Note—This overlay code is not applicable to development that is accepted subject to requirements.
Reconfiguration of a lot	No change to categories of development and assessment	Coastal protection (erosion prone areas) overlay code where the development is assessable under the table of assessment for reconfiguration of a lot
Operational work	No change to categories of development and assessment	Coastal protection (erosion prone areas) overlay code where the development is assessable under the table of assessment for operational work

Item 19 – Introduce Transport Noise Corridor mapping

Proposed Amendments

1. This amendment seeks to change the scheme in accordance with section 246Y of the Building Act 1975 as follows:

Part 1: About the Planning Scheme

Section 1.2 Planning scheme components

Add item (1) (h) (xii) as follows:

- (1) The planning scheme comprises the following components:
 - (h) the following overlays:
 - I. Airport environs overlay code;
 - II. Bushfire hazard overlay code;
 - III. Coastal protection (erosion prone areas) overlay code;
 - IV. Environmental significance overlay code;
 - V. Extractive resources overlay code;
 - VI. Flood and storm tide hazard overlay code;
 - VII. Heritage overlay code;
 - VIII. Landslide hazard overlay code;
 - IX. Regional infrastructure corridors and substations overlay code;
 - X. Water resource catchments overlay code;
 - XI. Waterway corridors and wetlands overlay code;
 - XII. Transport Noise Corridor Overlay (for information purpose only)

Part 1: About the Planning Scheme

1.6 Building work regulated under the planning scheme

Add item (5) as follows:

- (5) Council has designated Transport Noise Corridors under section 246X of the Building Act 1975. Details about the land that is within the transport noise corridor and the levels of noise within the corridor are contained within the Transport Noise Corridor Overlay. This overlay is for information purposes only. Building work on land which is designated under the Transport Noise Corridor Overlay is assessable against the Queensland Development Code Part 4.4 – Buildings in a Transport Noise Corridor.

Part 8: Overlays

8.1 Preliminary

Add the following wording to item 8:

- (8) The following overlay for the planning scheme is for information purposes only and does not have a corresponding overlay code:
 - (a) Transport noise corridor overlay.

Note—The Transport noise corridor overlay is contained in the planning scheme for information purposes only. The transport noise overlay identifies land designated as a transport noise in accordance with Chapter 8B of the *Building Act 1975*. In these areas building work will be assessable against the Queensland Development Code Part 4.4 – Buildings in a Transport Noise Corridor.

Schedule 2 Mapping

SC2.1 Map Index

Table SC2.1.1 – Map index

Update the gazettal dates of the following two maps:

OM-019	Transport noise corridor overlay – Mainland (sheet 1/2)	8 October 2018 TBA once gazettal date known
OM-020	Transport noise corridor overlay – Islands (sheet 2/2)	8 October 2018 TBA once gazettal date known

SC2.5 Overlay maps**Table SC2.5.3 – Overlay maps**

Include local road noise corridor mapping on the following maps which currently only show the State controlled road noise and rail noise corridors and update the gazettal date:

OM-019	Transport noise corridor overlay – Mainland (sheet 1/2)
OM-020	Transport noise corridor overlay – Islands (sheet 2/2)

Item 20 – Clarification of application requirements where within 9m of a revetment wall

Proposed Amendments

1. Outcomes PO6, AO6.1 and AO7.1 of the Low Density Residential zone code relating to development within 9m of a revetment wall in Raby Bay, Aquatic Paradise and Sovereign Waters are to be amended as follows:

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

Performance outcomes	Acceptable outcomes
Dual occupancies and dwelling houses	
<p>PO6</p> <p>Development in Raby Bay, Aquatic Paradise and Sovereign Waters is set back from a property boundary adjoining a revetment wall to:</p> <p>(1) Reduce the risk to new structures from the construction, maintenance, structural deterioration or failure of revetment walls;</p> <p>(2) Maintain the structural stability of revetment walls;</p> <p>(3) Provide unimpeded access to allow for the maintenance of revetment walls.</p> <p>Note — All structural elements off of a building or structure (e.g. retaining walls and pools), including footings, structural steel and reinforced concrete portions, must comply with the Building Code Of Australia (BCA). The BCA is a uniform set of technical provisions for the design and construction of buildings and structures throughout Australia. The BCA is produced and maintained by the Australian Building Codes Board (ABCB), and given legal effect in Queensland under the Building Act 1975.</p> <p>The BCA requires all buildings and structures to be structurally sound. Where an engineering design is necessary, a building certifier will generally require the building or structure to be certified by a Registered Professional Engineer who is registered to practice in Queensland to confirm that these elements meet minimum structural standards and comply with any relevant Australian Standards.</p>	<p>AO6.1</p> <p>Development is set back 9m from the property boundary adjoining a revetment wall.</p> <p>Editor's note - Applicants should be aware that structures near a canal or revetment wall must maintain the structural integrity of the wall, in accordance with the Building Code of Australia. Any construction closer than 9m would need to be supported by the correct building structural design certificates which prove that any works within this distance will not cause any movement or damage to the existing revetment wall or bank which may have a limited capacity to withstand additional loadings. These matters are to be addressed in any application for building works.</p> <p>Editor's note - Council has assessed that development that:</p> <p>a) is placed at, or greater than, 9.0m from the top of the revetment wall; or</p> <p>b) does not place more than 2.0kPa net positive load on the revetment wall;</p> <p>is unlikely to cause damage or collapse to the revetment wall.</p>
<p>PO7</p> <p>Development in Raby Bay, Aquatic Paradise and Sovereign Waters maintains the amenity of adjoining premises by;</p> <p>(1) maintaining consistency with the setbacks of adjoining buildings and structures; and</p> <p>(2) not dominating or detracting from the built form, waterway and landscape setting of the location.</p>	<p>AO7.1</p> <p>Dwelling houses and dual occupancies (including outbuildings) are set back 9m from the property boundary adjoining a canal wall, revetment wall or bank of an artificial water body.</p> <p>Editor's note - Applicants should also be aware that structures near a canal or revetment wall must maintain the structural integrity of the wall, in accordance with the Building Code of Australia. Any construction closer than 9m would</p>

	<p>need to be supported by the correct building structural design certificates which prove that any works within this distance will not cause any movement or damage to the existing revetment wall or bank which may have a limited capacity to withstand additional loadings. These matters are to be addressed in any application for building works.</p>
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Item 21 – Inclusion of the ‘Emerald Fringe’ of Coochiemudlo Island as a Local Heritage Place

Schedule 7 Heritage Schedule

The table below lists the local heritage places included in the heritage overlay map.

Table SC7.1—Local heritage places

No.	Lot and Plan No	Street Address	Locality	Description
1	Road Reserve	Middle Street	Cleveland	Large Ficus Street Tree
2	Road Reserve	North Street	Cleveland	Large Banyan Street Tree
3	Lot 9 SP144574	33 Shore Street East	Cleveland	War Memorial
4	Lot 66 SP115554	240 Middle Street	Cleveland	Reserve and Pine Promenade/GJ Walter Park
5	Lot 1 SP236501	44 Smith Street	Cleveland	Edgar Harley Pavilion (School of Arts)
6	Lot 1 SP236501	44 Smith Street	Cleveland	Redlands Memorial Hall
7	Lot 37 SP221102 and Lot 84 SL12329	242-250 Long Street and 31-51 Weippin Street	Cleveland	WW1 and WW2 Rifle Ranges
8	Lot 1 SP185725	53-71 Wellington Street	Cleveland	General Cemetery No. 2
9	Lot 83 SL5432	2-14 Old Cleveland Road	Capalaba	Pioneer Road - Rocks Crossing, Tingalpa Creek
10	Lot 999 RP863217	11-13 Empire Vista	Ormiston	Empire Point Foreshore
11	Lot 7 RP807476	56 Hilliard Street	Ormiston	Old Bridge over Hilliards Creek
12	Lot 199 SL8594	2A Main Road	Wellington Point	Wellington Point Reserve
13	Lot 130 SL319	101 Birkdale Road	Birkdale	School of Arts Hall
14	Lot 1 RP14821	11 Point O'Halloran Road	Victoria Point	Public Hall Monkani
15	Lot 167 CP884275	46-72 Banana Street	Redland Bay	Roll of Honour
16	Lot 1 SP165089	189 School Of Arts Road	Redland Bay	Residential Dwelling
17	Lot 2 RP209904	19-27 Gordon Road	Redland Bay	North Redland Bay Cemetery
18	Road Reserve	Moores Road	Redland Bay	Moreton Bay Figs
19	Lot 1 RP138577	87-95 Redland Bay Road	Thornlands	Thornlands Public Hall (Dance Palais)
20	Lot 171 SL12421	Dickson Way	North Stradbroke Island	Moongalba/Myora Aboriginal Cemetery

No.	Lot and Plan No	Street Address	Locality	Description
21	Lot 152 SP104035	Unnamed Street	North Stradbroke Island	Lazaret Cemetery
22	Road Reserve	The Esplanade, Oxley Parade	Dunwich	Polka Point Draughts Board
23	Lot 3 CP865498	Junner Street	Dunwich	Benevolent Asylum structures
24	Lot 125 SP160702	10 East Coast Road	Dunwich	Dunwich Learning Centre
25	Lot 89 SL5124	Dickson Way	North Stradbroke Island	Water Tanks and Water Pump
26	Lots 704 & 705 D9044	15-17 Welsby Street	Dunwich	Historical Museum
27	Lot 130 SL13002	Mooloomba Road	Point Lookout	Bill North's Cattle Dip
28	Lot 6 SL1335	40 Lucinda Crescent	Point Lookout	Point Lookout Lighthouse
29	Road Reserve	Moongalba Road	Point Lookout	Point Lookout Norfolk Pines (7)
30	Lot 1 AP5382	East Coast Road	Point Lookout	Point Lookout Well
31	Lot 1 A33911	16 Ballow Street	Amity	Amity Point Public Hall
32	Lot 76 RP130935	4 Hume Street	Russell Island	Mrs Fischer's Grave
33	Lot 1 RP31200	25-27 High Street	Russell Island	St Peter's Parish Hall
34	Lot 37 SL5485	107-123 Jackson Road	Russell Island	Jackson's Oval
35	Road Reserve	Weedmore Road Reserve	Russell Island	"Corduroy Road" log sleepers
36	Lot 188 RP133301 and Lot 14 RP127625	57-59 Charles Terrace	Macleay Island	Tim Shea's wetland and waterhole
37	Lot 19 SP168884; 16-18 and 25-28 RP111529	17-79 Cotton Tree Avenue; and 3-6 Boat Harbour Avenue; and 11-15 Cotton Tree Avenue	Macleay Island	Aboriginal Midden/Fishing
38	Reserve	Wharf Street – West	Macleay Island	Marine Structure/Convict Campsite/Aboriginal Campsite
39	Lot 77 RP907133	5 Brook Haven;	Lamb Island	Harry Brook Reserve
40	Lot 82-86 RP125521; Lot 39 RP131565; and Lot 20 SP252656	40-42 Pier Haven; 46-48 Nectar Street; and 5-13 Lavender Street	Lamb Island	Dam and Melaleuca Forest
41	Reserve	Lucas Drive	Lamb Island	Jetty Shed
42	Reserve	Lucas Drive	Lamb Island	Thomas Lucas' Grave
43	Road Reserve	Tina Avenue	Lamb Island	Mango Trees

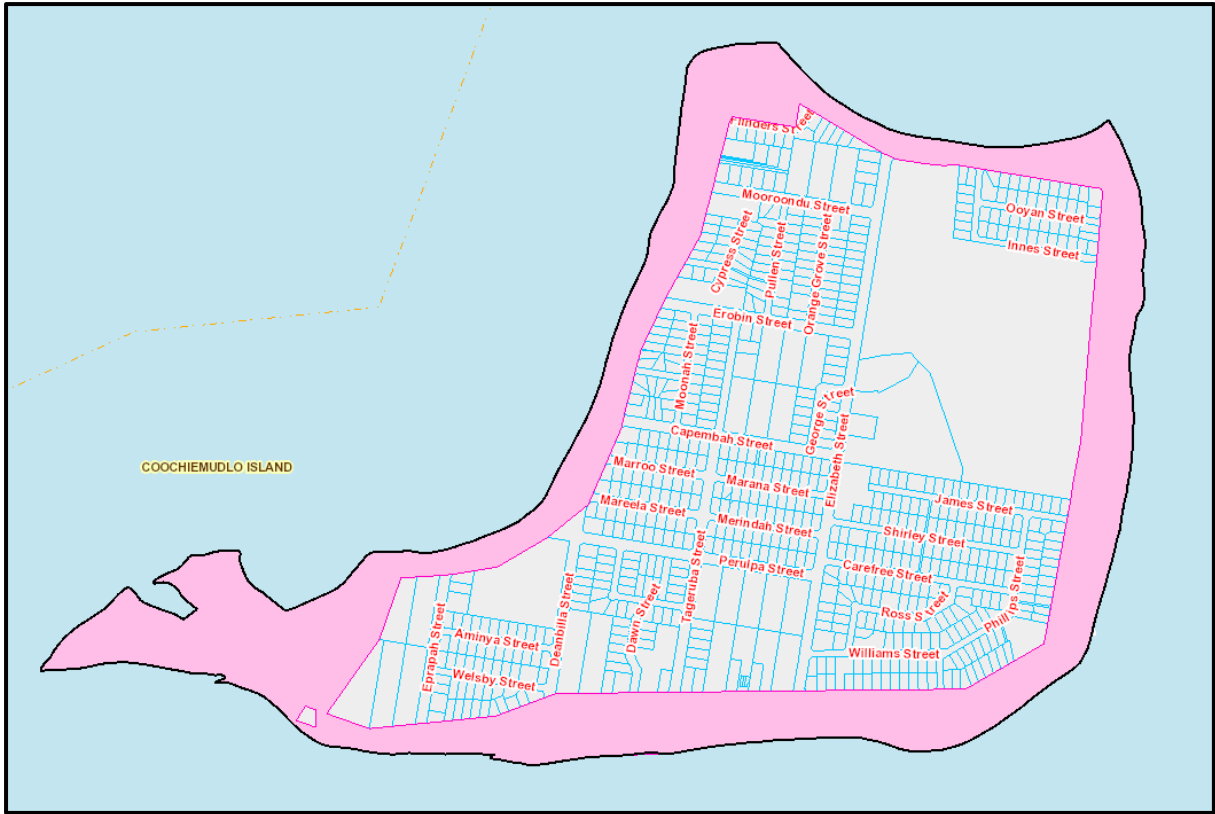
No.	Lot and Plan No	Street Address	Locality	Description
44	Lot 148 RP14120	200-204 Mooroondu Road	Thorneside	Thorneside Public Hall
45	Lot 137 SP144276 and Lot 22 SP144276	326-346 Victoria Parade South	Coochiemudlo Island	Community Hall, jetty and steps
46	Lot 24 SP199973	51 Victoria Parade South	Coochiemudlo Island	Norfolk Beach
47	Lot 25 SP199973	245 Victoria Parade West	Coochiemudlo Island	Morton's Steps and stone jetty
48	Lot 2 SP211270	302 Old Cleveland Road East	Birkdale	Willard's Farm complex, including house, dairy, laundry, established trees, front fence and gates
49	Part of Lot 106 SP117644	17 Runnymede Road	Capalaba	Mature Tallowwood tree
50	Lots 22 and 23 on SP144276; Lots 24, 25 and 26 on SP199973; Lot 101 on C3281; Plus Road Reserve on Victoria Parade South, West, North and East.	Victoria Parade, North, South, East and West	Coochiemudlo Island	Emerald Fringe

Add Heritage Card number 50. This Heritage Card is being prepared using the same template as the other 49 heritage cards. The information used for the site card will be a condensed version of the Department of Environment and Science Heritage Recommendation 650082 (refer to attachment 2).

Schedule 2 Mapping

Amend map Heritage Overlay - Mainland (OM-013) to include the following sites within the Heritage Overlay:

- Lots 22 and 23 on SP144276;
- Lots 24, 25 and 26 on SP199973;
- Lot 101 on C3281;
- Plus Road Reserve on Victoria Parade South, West, North and East.

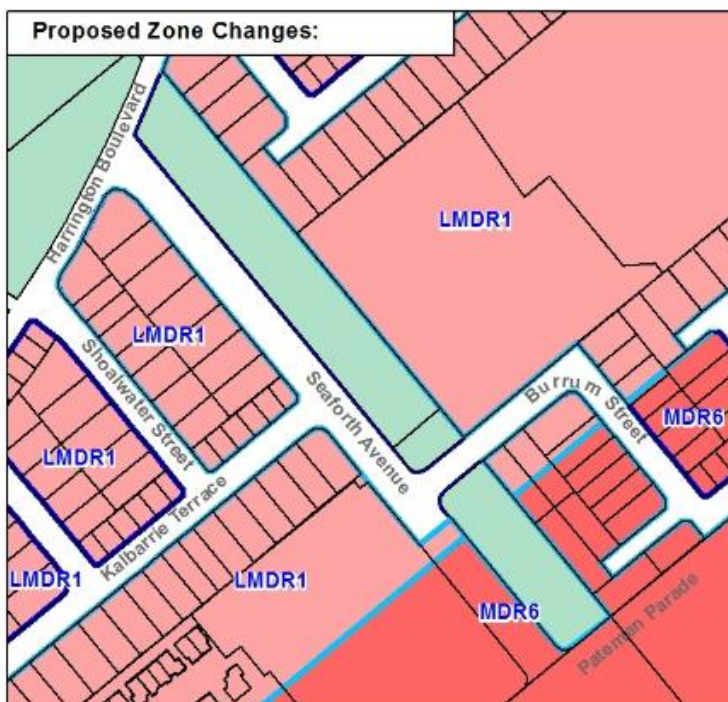
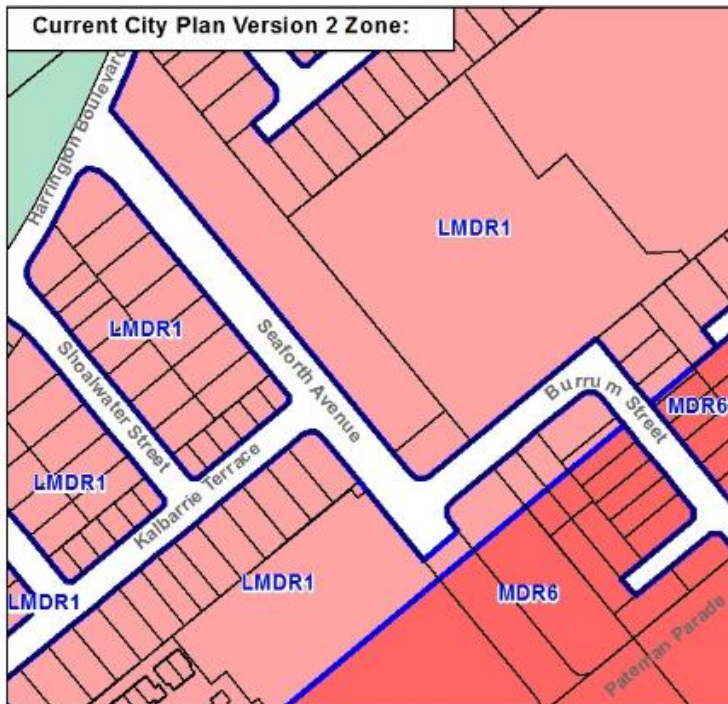


Item 22 – Mapping change – boulevard parkland in South East Thornlands

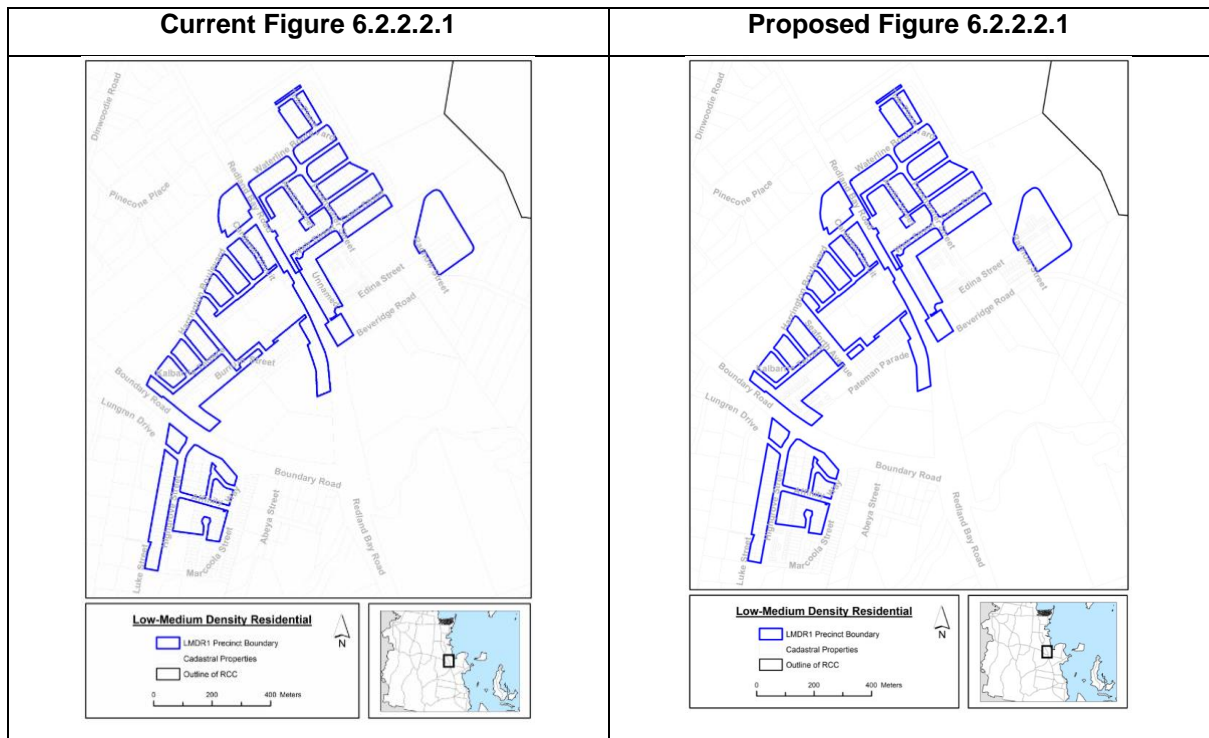
Proposed Amendments

1. This amendment seeks to change the zone of the following parcels of land from residential to 'Recreation and Open Space' in accordance with previous development approvals.
 - 44-46 Harrington Boulevard, Thornlands (Lot 504 on SP282234); and
 - 48-58 Seaforth Avenue, Thornlands (Lot 505 on SP301018).

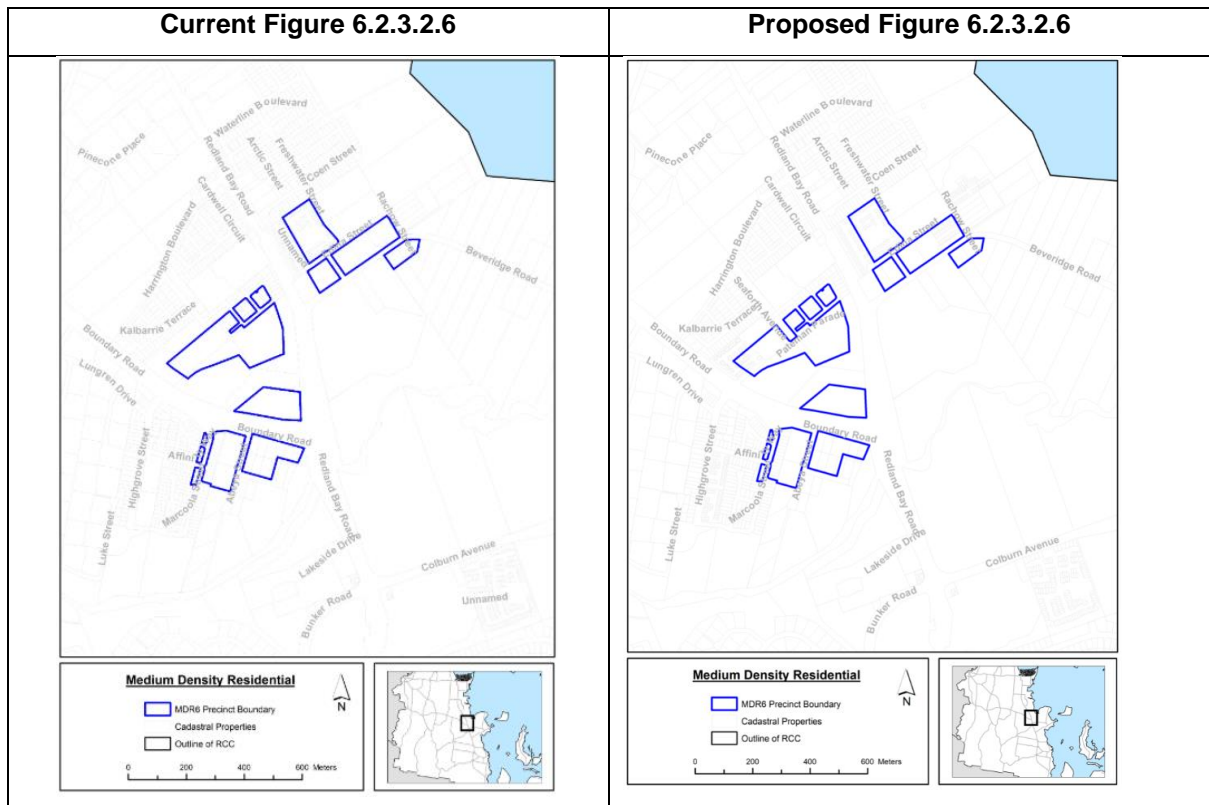
The following diagrams provides a visual representation of the change:



2. As a result of this mapping change, two figures will need to be updated as they reflect the LMDR1 and MDR6 zone boundaries. The changes are as follows:
- Figure 6.2.2.2.1 – Precinct LMDR 1: South East Thornlands (found in section 6.2.2.2 of the Low-medium density residential zone code);



- Figure 6.2.3.2.6 – Precinct MDR6: South East Thornlands (found in section 6.2.3.2 of the Medium density residential zone code).



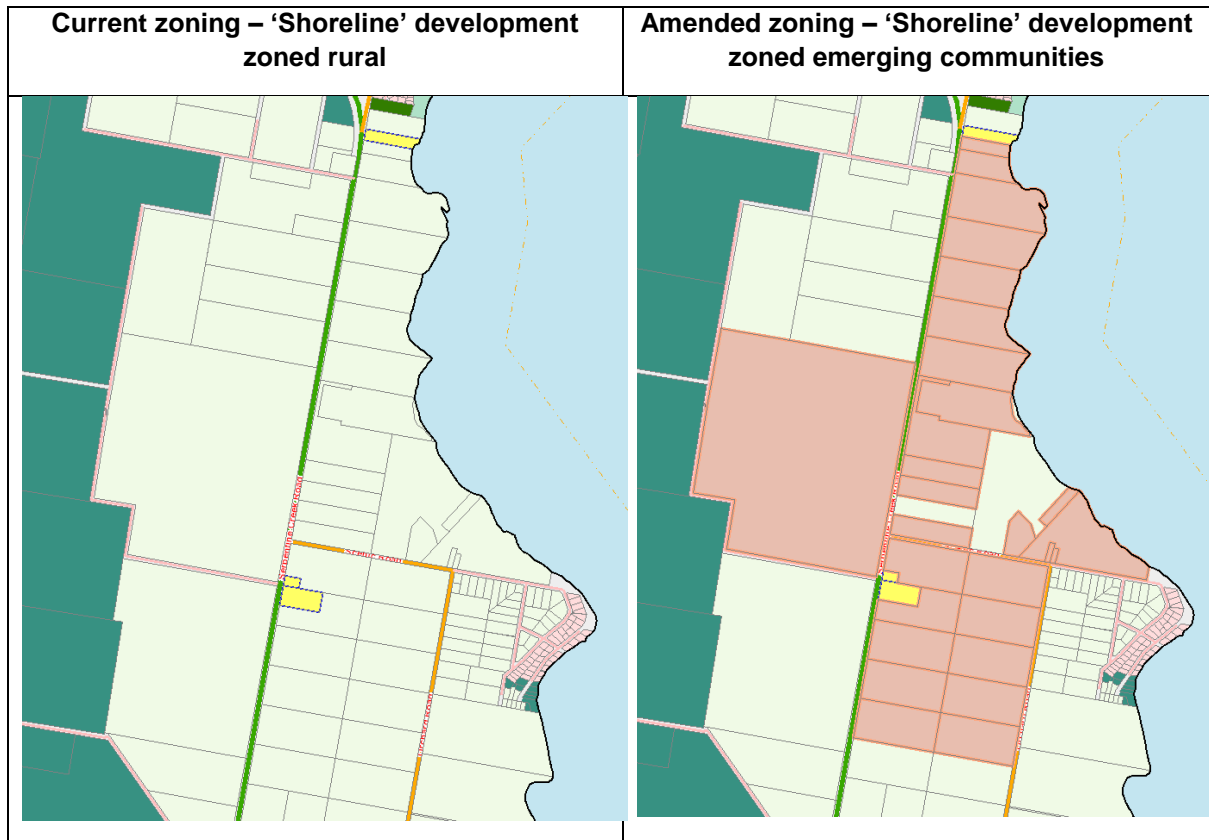
Item 23 – Mapping Change - Shoreline

Proposed Amendments

1. This amendment seeks to change the zone of the following parcels of land from rural to emerging communities in accordance with a development approval over the land:

- Lot 2 RP 149309, Lot 8 R 1291, Lot 69 S 31102;
- Lot 70 S 31102, Lot 71 S 31102, Lot 72 S 31102;
- Lot 73 S 31102, Lot 4 RP 105915, Lot 3 RP 105915;
- Lot 1 RP 103265, Lot 2 RP 140163, Lot 1 RP 212251;
- Lot 1 RP 105915, Lot 1 RP 71630, Lot 1 RP 140163;
- Lot 83 S 312432, Lot 84 S 312432, Lot 86 S 312432;
- Lot 255 S 312432, Lot 256 S 312432, Lot 257 S 312432, Lot 259 S 312432, Lot 247 S 312432;
- Lot 252 S 312432, Lot 2 SP 226358, Lot 11 S 268704; and
- Lot 1 SP 289245, Lot 74 SP 289245.

The following diagrams provides a visual representation of the change:



Item 24 - PSP2 Infrastructure works - changes related to surveying

Proposed Amendments

1. Delete item 6.4.3 (4) as this item is not consistent with Appendix D of the PSP (ADAC Data Capture Guidelines). The Appendix provides most specific details about this matter.
2. Replace the term 'licensed surveyor' in section 6.4.3 (5) as this term was removed from the Surveyors Act in 2003 and replaced with either Cadastral Endorsed or Registered Surveyor Land (both terms have the same meaning and associated qualification).
3. Replace the term 'authorised surveyor' in section 7.2.4 Table 1 to 'registered surveyor' to provide clarity.

6.4.3 Certified Digital As-Constructed Drawings

...

(4) The accuracy of surveyed as-constructed features is ± 0.05 metres horizontally and ± 0.01 metres vertically (at 3 σ).

(5) The licensed/registered Cadastral Endorsed or Registered Surveyor Land's certification provided to the local government must confirm that:

- (a) the road construction provides minimum verge widths and pavement widths in accordance with the approved engineering drawings;
- (b) the stormwater drainage pipes and access chambers are within easements and/or drainage reserves provided in accordance with the development approval; and,
- (c) the roof water and inter-lot drainage construction and sewerage construction are in correct relationship to property boundaries as required by the local government's standards.

...

7.2.4 Uncompleted Works Bonds

...

Table 1 - Level of Completion of Works

Type of Works	Level of Completion of Works
Construction and Earthworks	(1) 100 percent of bulk earthworks are completed and stabilised to the local government's satisfaction including the completion of any retaining walls; (2) 100 percent of the kerb and channel is completed to the local government's satisfaction; (3) Roads are certified by an authorised surveyor/registered surveyor that the roads are within the correct alignment, where applicable; (4) 50 percent of the total value of construction works are completed to the local government's satisfaction; (5) All testing results (including RPEQ certification for retaining structures) and preliminary as-constructed information is provided to the local government.
Sewerage and Water Supply Works	(1) 100 percent of the total value of sewerage and water supply works, including external and internal reticulation, are completed to the local government's satisfaction; (2) All testing results and preliminary as-constructed information is provided to the local government.

...

Recommendation made by the Chief Executive, Department of Environment and Heritage Protection under the provisions of s.112(A) of the Queensland Heritage Act 1992.

Emerald Fringe of Coochiemudlo Island is recommended for entry in the **Redland City Council's** Heritage Schedule (local heritage register).

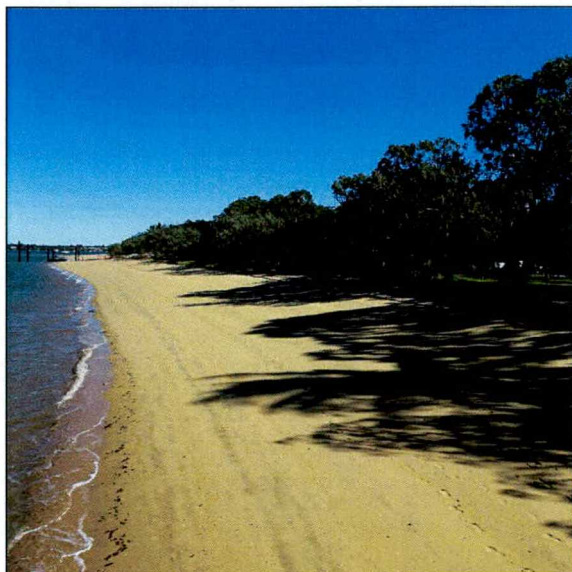


Figure 1: Main Beach looking west from Jetty (DES, 2018)



Figure 2: Proposed local heritage place boundary

Place name	Emerald Fringe of Coochiemudlo Island
Address	Victoria Parade, North, South, East and West, COOCHIEMUDLO ISLAND, 4184
LGA	Redland City Council
RPD	Lots 22 and 23, of SP144276; Lots 24, 25, 26 of SP199973; Lot 101 C3281; plus Road Reserve, Victoria Parade South, West, North, East.

Cultural heritage significance

<p>critterion a</p> <p>the place is important in demonstrating the evolution or pattern of Redland's history</p>	<p>The Emerald Fringe of Coochiemudlo Island, an area of land encircling Coochiemudlo Island, surveyed in stages from 1885-1962 as an esplanade and now consisting of a mix of road, recreation, public hall, and environmental reserves, is an example of the process or activity of surveying reserves or esplanades along coastal land for road purposes; a process which has had a demonstrated effect on the evolution and pattern of development of Redland's history.</p> <p>The historical surveying of an esplanade encircling Coochiemudlo Island resulted in a distinctive aspect of Redland's pattern of residential development; unlike other inhabited islands in Moreton Bay, private residences were not built on the foreshore.</p> <p>The Emerald Fringe contains the remnants of tourism infrastructure (possible tramway remnants, a cutting, lookout site) associated with visitation to the Mortons' fruit farm in the island's interior. These remnants provide evidence of the development of local tourism in the Redlands area during the twentieth century.</p>
<p>critterion e</p> <p>the place is important because of its aesthetic significance</p>	<p>The Emerald Fringe contains sections of diverse, vegetated coastal environment that exhibit natural aesthetic beauty and picturesque attributes of significance to the Redlands. Collectively, the area of land encompassing the Emerald Fringe creates the visual impression of an uninhabited island by largely screening the residential development of the island's interior.</p> <p>The natural beauty of the Emerald Fringe has been represented in art works, images and written expressions by local residents and visitors.</p>
<p>critterion g</p> <p>the place has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons</p>	<p>The Emerald Fringe of Coochiemudlo Island is highly valued by the island's residents and other members of the Redland's community for its aesthetic qualities, flora, fauna and other environmental values, and as a site used for recreation, social and cultural events.</p>

History

Coochiemudlo Island, located in the southern part of Moreton Bay, is about 130ha in size and has a maximum height above sea level of about 20m.[1] Its southwest side is approximately 900m from Victoria Point on the mainland. Coochiemudlo was briefly visited by Lieutenant Mathew Flinders in 1799; and its western half was surveyed into one acre (0.4ha) allotments in 1885-6, leaving a buffer of public land (an esplanade, or road reserve) between the high-water mark and the surveyed allotments. The esplanade was continued around the eastern half of the island from 1944-1962. The island was farmed during the first six decades of the 20th century, with closer residential subdivision of most of the interior of the island occurring from 1957 onwards. Any part of the esplanade which was not a formed road was later converted into recreation, public hall and environmental reserves. The area of the former esplanade that is not a formed road has retained its tree cover to 2018, despite the growth of the island's permanent population, and the resulting 'Emerald Fringe' provides privacy for island residents, and visitors and residents value its flora, fauna and aesthetic appeal.

The island was originally known as 'Kutchi Mudlo' (or 'Red Stone'), by the traditional owners, after the red volcanic rock that forms cliffs at the southwest side of the island. The red ochre obtained from these cliffs was used for ceremonial purposes. The island, which has permanent fresh water sources, was also a source of food: including fern root, water lilies, honey, fish, mud crabs, shellfish, reptiles and dugong.[2] The dome of red soil which forms the western part of the island is an extension of the volcanic geology also found on Victoria Point.[3]

The first non-indigenous visitor to Kutchi Mudlo was Lieutenant Matthew Flinders (1774-1814), in command of the sloop HMS Norfolk, a single-masted sailing boat. While exploring Morton Bay between 15-31 July 1799, Flinders briefly landed on what he called 'the Sixth Island' of Moreton Bay on 19 July, to take a sextant reading, before returning to the north end of Morton Bay, where he climbed Mount Beerburum on 26 July. Flinders, who later went on to circumnavigate Australia in 1802-3 and publish *A Voyage to Terra Australis* in 1814, was looking for a river which he presumed entered the southern part of the bay, but which he never discovered. [4] The site of Flinders' landing is included in Schedule 7 (Heritage Schedule) of the Redland City Plan 2018 as place 46 'Norfolk Beach', and is part of the Emerald Fringe.

Kutchi Mudlo was named Innis Island on maps by 1842. Ensign Joseph Innis, of the 39th Regiment of Foot, had been posted as Acting Engineer to the Moreton Bay penal settlement for part of 1827.[5]

The name Innis Island was still being used when the Queensland Acclimatisation Society was promised the use of the island by the Queensland Government in 1864, for the introduction of animals, including rabbits, to Queensland; and Society members and a number of politicians visited the island on the steamer Hawk in November of that year. The Society was still waiting for the Executive Council to officially grant them the island in 1870, although this does not appear to have eventuated. It was later reported that any rabbits introduced to the island had either died or been killed by visitors.[6]

There was little activity with relation to Innis Island until the 1880s. In November 1885 the Surveyor-General's Office requested that licensed surveyor George Thomas McDonald subdivide the 'western half of Innis Island' into one acre (0.4ha) allotments, for auction sale, and stipulated that 'the whole of the frontage with a depth of not less than 150 links [30m] should be reserved'.[7]

Publically owned esplanades, which surveyors were required to reserve alongside navigable rivers, creeks and the coastline where a road was feasible, have a long history in Queensland. According to directions for surveyors published in 1878, esplanades had to be

at least 30m wide and above the high water mark.[8] This was to provide a buffer between private property and the water, thereby preventing the creation of private beaches. The extent of tree cover on Queensland's esplanades has varied historically, depending on existing natural vegetation, clearing, road and footpath formation, landscaping and plantings by local authorities. Infrastructure added to Queensland's esplanades has included playgrounds, camping areas, shelter sheds, memorials, bathing pavilions, clubhouses (including surf lifesaving clubs) and sports facilities.[9] Under current land tenure definitions the whole of an esplanade is a road reserve, even if only part of it is occupied by a formed road.[10]

McDonald's plan of Innis Island, received in February 1886 and labelled 'Town of Coochie' on 'Coochie Mudlo Island', divided the western half of the island, which was the highest part with the best soil, into 99 allotments, most being one acre (0.4ha) in size. An esplanade, labelled Victoria Parade, was surveyed to the north and south of the subdivided area, and may have included the site of the current golf course, on the low, sandy point at the southwest corner of the island; but the esplanade was not surveyed around the eastern half of the island at this time.[11] The remainder of Coochiemudlo Island (about 150 acres (60.7ha), not including the alienated lands, Victoria Parade and other surveyed streets) was later advertised as a Special Lease of Crown Land, for 10 years from 11 January 1916.[12] On a 1927 map, this 150 acres is labelled 'E Gordon & DHH Morton', and the east side of the island has no esplanade.[13]

In 1937 portions 22 (the future golf course site), 45 and 46 (covering the eastern interior of the island) were offered for Special Lease. However, evidence suggests that the esplanade was not continued around the east side of the island until portions 46 and 45 were surveyed, in 1944 and 1962 respectively.[14]

With the esplanade reserved on the western half of the island, the Queensland Government then attempted to sell the town allotments. On 31 May 1886, 85 allotments on 'Coochiemudlo Island' were auctioned, with no offers, but an 1888 sale was more successful.[15] Despite this, no purchaser moved to Coochiemudlo during the 1880s, although the island was briefly considered as a potential site for a 'leper station for Europeans' in the early 1890s (Peel Island was later chosen).[16]

From the 1880s timber getters removed all saleable timber, including Eucalyptus, paperbark tea-tree (*Melaleuca*) and cypress pine (*Callitris*). In the same decade, Daniel Colburn, of Victoria Point, and later William Colburn, of Point Halloran (from c1900), grazed cattle on Coochiemudlo, wading and swimming them across from Victoria Point during the lowest tides of the year.[17]

The first long-term non-indigenous occupiers of Coochiemudlo were Henry Wright and his son Norman, who camped under a large cotton tree at the southeast corner of the island for several years in the late 1890s, and raised pigs, grew vegetables and fished.[18]

The tourist potential of Coochiemudlo Island was also recognised, as trips on the steamer *Natone* were advertised during 1896, with the island described as 'a Paradise of Nature's most delightful charms, ferns, oysters, shells &c., being unlimited'.[19]

In 1919, Coochiemudlo was proclaimed a 'reserve for the protection of native birds'.[20] That same year, one of the island's earliest and well-known residents arrived on the island: Doug Morton (1897-1980), a veteran of Gallipoli and the Somme. Morton, along with another returned soldier, Eric Gordon, was initially employed as a share-farmer by Phillip Forrest, who had land on the western side of Coochiemudlo Island. Although Gordon soon left, Morton continued farming on the island until 1960. In 1923 Doug Morton married Mary Colburn (1901-89), whose parents lived at Point Halloran, and she moved to Coochiemudlo.[21] Other families later farmed on the island, and a few 'weekender' cottages were also established by the 1940s.[22]

The Morton farm, located above the red cliffs in the southwest corner of the island, grew bananas, custard apples, pineapples, passionfruit and tomatoes. As well as shipping their produce to the mainland, the Mortons developed their farm as a tourist attraction by the 1930s, with visitors coming to Coochiemudlo to buy produce from a stall under the farmhouse, or tea and scones.[23]

By the early 1930s Coochiemudlo's sandy beaches were a popular bathing resort for visitors to Victoria Point, and the island was touted in newspaper articles for its natural beauty, tropical fruit farming, birdlife, mud crabs and oysters. Hire boats and fishing trips to Coochiemudlo were also available at Victoria Point in the 1930s; the Cub Scouts held an Easter Camp on the island in 1931; and in 1938 the Tree and Forest League visited the island, on Arthur Ridley's homemade barge the Kootchie, for a tree-planting ceremony and meeting.[24]

The Mortons' own tourism venture continued during part of WWII. From late 1941 until it was requisitioned for the war effort in 1942, the launch MV Lookout, of the Point Lookout-Amity Resorts and Cruises Pty Ltd, delivered tourists (including soldiers and their girlfriends) to a timber jetty built by Doug Morton in 1941, at the southwest tip of the island, pointing towards Point Halloran. [25]

Morton had also built a jetty south of the farmhouse in the late 1920s, for bringing in supplies and shipping out the farm's produce.[26] This jetty, at the bottom of the red cliffs, pointed towards Victoria Point (where Morton had built another jetty), and concrete and stone remnants survive in 2018 at the site of the base of Morton's Coochiemudlo jetty, along with a non-slip path down from Victoria Parade South, built for draught-horse access.[27] The red cliffs' jetty remnants are included in Schedule 7 (Heritage Schedule) of the Redland City Plan 2018 as part of place 45 'Community Hall, jetty and steps' (the community hall and its reserve is not part of the Emerald Fringe, although it stands on part of the former esplanade). On the west side of the island, Morton built a set of steps down the steep slope from Victoria Parade West, with a track leading to a concrete and stone jetty/causeway in the mangroves. These elements survive within the Emerald Fringe, and are also included in Schedule 7 of the Redland City Plan, as place 47, 'Morton's steps and stone jetty'.

Doug Morton also formed a small golf course on the sandy point below the farm. During WWII, the sandy point became the tented campsite of No.43 Landing Craft Company, 3rd Water Transport Group, Royal Australian Engineers, which kept its six landing craft (supply barges) on the beach south of the current golf course. This unit trained on the island from December 1943 to March 1944, until they headed to New Guinea; and some concrete remnants of their cook house floor, accompanied by a small plaque dedicated in 2007, survive on the golf course, just west of the golf clubhouse.[28]

From 1957, the island was subdivided into smaller residential allotments. The new subdivisions averaged around 20 perches (506m²) in size.[29] The period of farming on Coochiemudlo came to an end c1960, when the Mortons sold their farm.[30]

The Redland Shire Council took over management of the island in 1962.[31] In 1963, portion 22 was gazetted as a Recreation Reserve of 17 acres (6.9ha, the site of the golf course) with a 30m wide esplanade running along its southern perimeter, and part of its western perimeter. At the same time a road, 100 links (20m) wide, was surveyed (but not formed) along the top of the cliffs to the east of the reserve, linking the west ends of Victoria Parade South and Victoria Parade West.[32] As a result, the esplanade, which was originally envisaged as a road reserve at least 150 links (30m) wide, no longer completely encircled the island.

The reason Coochiemudlo retained tree cover within its Emerald Fringe prior to the 1960s was probably due to a combination of factors. A lack of easy access; farming as the main land use on the island until the 1960s;[33] low-impact environmental and fruit-farm based tourism prior to the 1960s; and no local government responsibility for the island's

infrastructure until 1962, all meant that Coochiemudlo's esplanade was not as well patronised, cleared, formally planted, paved or landscaped as esplanades at popular 19th century beach resorts on the mainland – such as Redcliffe, Sandgate, Shorncliffe, Wynnum, Manly, or Southport.[34]

However, Coochiemudlo did lose tree cover in the island's interior, as the population of the island grew, with more houses constructed and roads formed, during the 1960s-70s. The permanent population of Coochiemudlo, which was 28 in 1965, with another 100 staying in 'weekender' cottages, was boosted by the provision of town water (1971) and electricity (1978). The permanent population was 753 by 2016.[35]

The island's attractiveness to permanent residents, as opposed to 'weekenders', was also increased by improved transport to the island. By 1964, there was a jetty, built by the Phillips, at the east end of Main Beach on the south side of the island. This was replaced with a new jetty, further west, in 1971; which was in turn replaced in 2015.[36]

The jetties were reached by an ever-improving ferry service. Dick Whitehall purchased Doug Morton's ferry the Koorooloo in 1959, beginning a weekend passenger service, later replaced by a daily service in 1968. A late-night water taxi was started during Expo 1988, and regular vehicle barges also commenced in the late 1980s.[37] By 2004 the island had about 500 residential properties.[38]

Improved transport also led to more day visitors to the island. Coochiemudlo's safe swimming beaches, close to Brisbane, were an attraction, with over 2000 weekend visitors to the island at the height of the summer holidays in 1993.[39]

A tennis court and community hall were built on the esplanade near the southwest corner of the former Morton farm in the early 1970s, and a small hall reserve was surveyed out of the esplanade south of portion 22 in 1977. That year the eastern beach was renamed 'Norfolk Beach', and annual re-enactments of Flinders' landing have occurred there since 1981. The golf course was extended to 9 holes c.1990.[40]

Coochiemudlo's Emerald Fringe has become a source of identity and a point of difference for the island's residents, who value its natural, indigenous and aesthetic values, and the sense of serenity and privacy from the outside world that it offers. Artists living on the island are also inspired by its scenery and wildlife. In 1966 a private allotment at the northwest corner of the island was purchased by the Redland Shire Council, and is now part of the Emerald Fringe.[41]

During the 2000s, most of the remainder of the esplanade was converted to recreation and environmental reserves (with consequent closure of these areas as road).[42] This means Coochiemudlo Island no longer has an intact esplanade, as large parts of it are no longer road reserve. However, Coochiemudlo still retains a well-vegetated belt of public land above the high water mark – in contrast to nearby Macleay and Russell islands, which were not given esplanades, and have private buildings at the water's edge.

The Emerald Fringe has lost some of its vegetation cover, especially on the south side of the island. The area behind Main Beach has a car park between the jetty and the boat ramp, and also contains open areas with day visitor infrastructure, such as toilet blocks and picnic shelters. Sunday markets are held in this area. There are also small open areas, and some tourist infrastructure, within the Emerald Fringe on the northern and eastern sides of the island.

Description

The Coochiemudlo Island Emerald Fringe is a connected series of vegetated recreation, environmental, and road reserves encircling the perimeter of Coochiemudlo Island between the high water mark and privately-owned commercial and residential allotments. It has an area of approximately 42ha. Coochiemudlo Island is a land island approximately 130ha in area, located in southern Moreton Bay approximately 900m northeast of the mainland Redland City suburb of Victoria Point. The southern, eastern, and northern sides of the island have sand beaches backed by coastal vegetation, while the mainland-facing western side is predominantly mangrove forest.

The Emerald Fringe vegetation is abundant and almost completely screens built development on the island from the water. It includes cypress (*Callitris columellaris*), coastal banksia (*Banksia integrifolia*), coastal hibiscus (*Hibiscus tiliaceus*), tuckeroo (*Cupaniopsis anacardioides*), she-oaks (*Casuarina equisetifolia*), paperbark (*Melaleuca quinquenervia*), and other eucalyptus. Victoria Parade, a narrow bitumen and concrete road with no curbing, channelling, or footpath runs around the majority of the island in the inner edge of the reserve.

Southern Emerald Fringe

The southern reach of the Emerald Fringe is approximately 2kms long and c40m-100m wide and accommodates a variety of simple structures in a predominantly open vegetated space. The beach is the primary landing and recreation site for residents and visitors. It has a passenger ferry terminal and a concrete vehicle ramp for barges at its eastern end behind which the reserve accommodates two toilet blocks, a large car park hardstand, picnic shelters, and play equipment. A war memorial comprised of a sandstone monument and flagpole is also located in this area, east of the jetty.

The beach has a red volcanic rock outcrop towards its western end. At its base are rock, concrete, and timber jetty remnants and a path of overlapping concrete slabs sloping up from the jetty remnants toward Victoria Parade South. A concrete horse drinking trough is located across Victoria Parade South where the path meets the street.

A two-storey timber and concrete block community centre building stands at the top of a small headland above the outcrop. It is the only substantial building in the Emerald Fringe. Adjacent to it are a car park (formerly a concrete tennis court), remnants of an early tourist lookout, and a memorial 'lone pine' (planted 1997), remnants of concrete and stone steps and an earth cutting known as the "Khyber Pass", and later concrete stairs leading down to the golf course.

Western Emerald Fringe

Forming the western boundary of the Emerald Fringe is a dense mangrove swamp that spreads westwards from the island toward the mainland.

A nine hole golf course is located on a protruding tip of the southwest corner of the island. On the golf course are remnants of a concrete floor slab dating to World War II. The golf course is surrounded by vegetation on all sides and is not visible from the water's edge. A golf clubhouse and storage sheds are located at the east edge of the golf course. Remnants of a timber jetty and tramway are located in the mangroves west of the golf course.

North of the golf course, the landscape slopes steeply upwards (east) from the mangroves toward Victoria Parade West. This bank is heavily vegetated restricting views from Victoria Parade West out to sea. Adjacent to the intersection of Victoria Parade West and Perulpa Street are concrete and stone steps leading down to concrete and stone causeway remnants extending west into the mangroves.

Northern Emerald Fringe

A small pocket of mangroves on the north-western corner of the island gives way to a sand beach which runs the rest of the northern boundary of the island. South of these mangroves is a pocket of bush where a concrete walking path has been constructed. This path slopes down from the northern end of Victoria Parade West and re-joins Victoria Parade North closer to the foreshore. The foreshore area of this part of the island is relatively flat, and vegetation, dominated by coastal hibiscus (*Hibiscus tiliaceus*), screens views from the street to the beach. The remains of a concrete boat ramp are located on the eastern end of the beach, linking the water's edge with an unsealed track from Victoria Parade North. Picnic facilities, including tables, water fountains, outdoor shower and shelter sheds, are located behind (south of) the vegetation particularly near the junction of Victoria Parade North and Elizabeth Street. Several informal and formal paths link Victoria Parade North and the beach.

Eastern Emerald Fringe

A beach runs along the length of the eastern boarder of the island. The water's edge is comprised of a mixture of sand, sea shells and pieces of volcanic rock of varying sizes. Large anti-erosion sandbags have been positioned on the low sand dunes behind (west of) the beach, which give way to the Melaleuca Wetlands. Further south, some picnic tables, barbeques, timber fencing and a brick toilet block have been constructed in a cleared area behind the beach. A large boulder with a plaque, and timber sign, are located near the toilet block, to commemorate Matthew Flinders' landing on Coochiemudlo Island in 1799. From this area, the vegetation slopes up steeply toward Victoria Parade East.

A number of formal and informal pedestrian paths to the beach have been constructed at the southern end of this boundary. This includes a concrete stepped pedestrian path linking Phillip Street and Victoria Parade with the water's edge.

Illustrations



Figure 3: View of Main Beach and barge ramp, from ferry (DES, 2018)



Figure 4: Car parking west of jetty, behind Main Beach, looking east (DES, 2018)



Figure 5: Victoria Parade South, west of Deanbilla Street, looking west (DES, 2018)



Figure 6: Red cliffs, site of base of Doug Morton's jetty (DES, 2018)

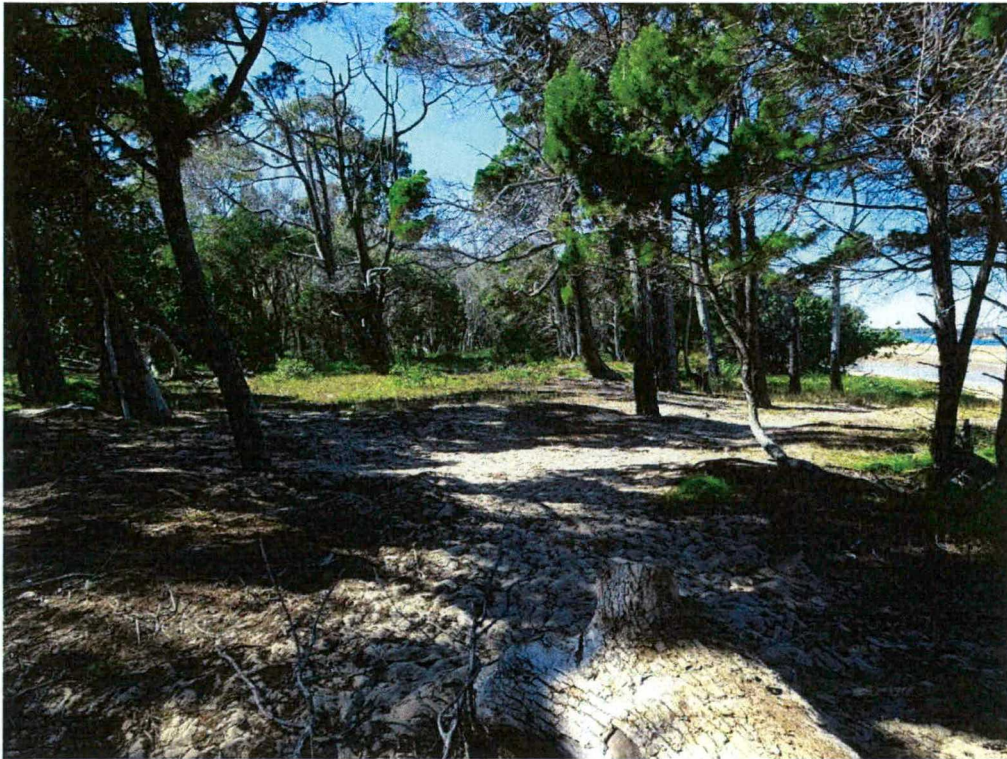


Figure 7: Vegetation on former esplanade to south of golf course, looking east (DES, 2018)



Figure 8: Victoria Parade West, looking northeast, to the south of Perulpa Street (DES, 2018)



Figure 9: Vegetation on cliffs above mangroves, looking west from Victoria Parade West, south of Erobin Street (DES, 2018)

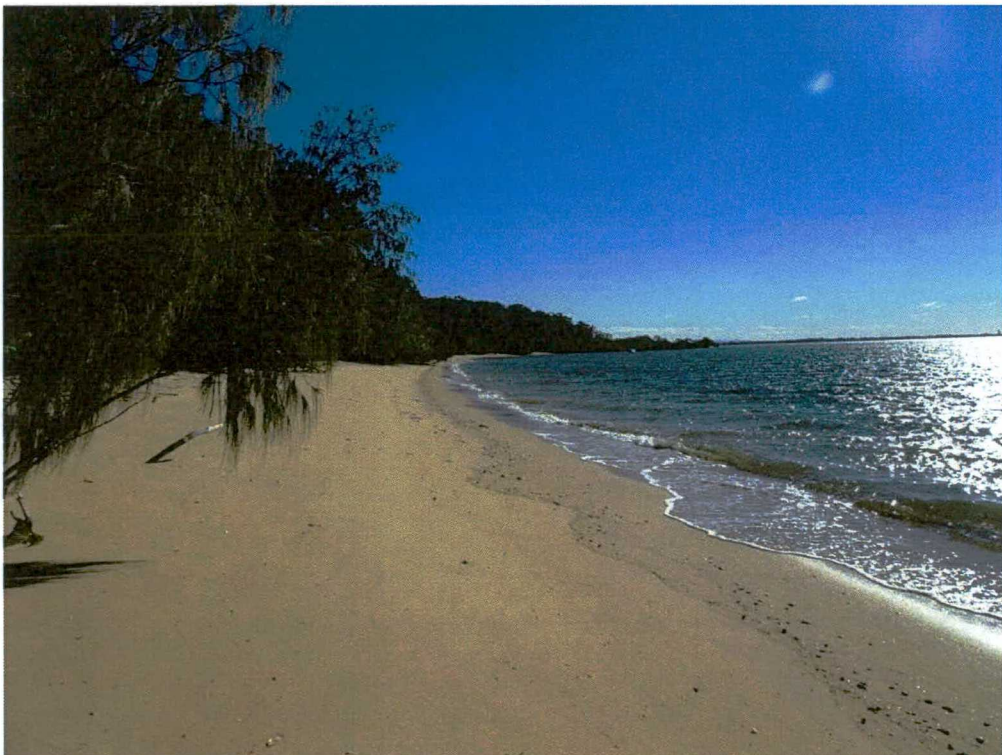


Figure 10: Morwong Beach, looking west (DES, 2018)



Figure 11: Former esplanade to south of Morwong Beach, looking east from west of Elizabeth St (DES, 2018)

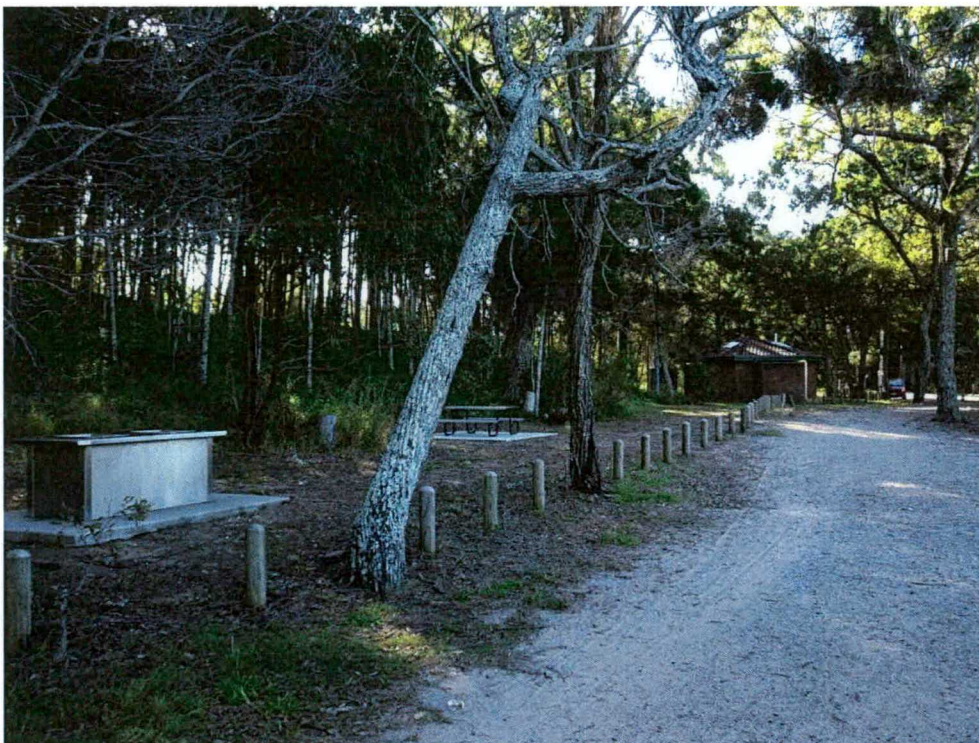


Figure 12: Former esplanade to west of Norfolk Beach's southern end, with visitor infrastructure (DES, 2018)

Endnotes

- [1] 'Coochiemudlo Island Land Management Plan, February 2004'. Rob Friend & Associates Pty Ltd, in association with EPM Consulting & John Smout Social Planning, for Redland Shire Council, pp.8-9.
- [2] Miss CC Petrie, in 'Aboriginal meaning of 'red' and 'grave'', *Queenslander* 11 January 1913, p.37; J Pearn, 'In the beginning: observations on pre-European life on Coochiemudlo Island, Moreton Bay, Queensland'. Paper read at the Symposium 'Chronicles of Coochiemudlo', Royal Historical Society of Queensland, 16 May 1993, Community Hall, Coochiemudlo Island, Queensland; 'Coochiemudlo Island Land Management Plan', February 2004', p.11. Surviving evidence of visits by Aboriginal people includes middens, scarred 'canoe trees' (where bark was removed to form canoes), and stone tools. Coochiemudlo Island is claimed by the Quandamooka people (<https://culturalheritage.datsip.qld.gov.au/achris/public/public-registry/home>, (accessed 15 June 2018)).
- [3] J Pearn, 'In the beginning', p.2; 'Coochiemudlo Island Land Management Plan, February 2004', p.9.
- [4] HM Cooper, 'Flinders, Matthew (1774-1814)', <http://adb.anu.edu.au/biography/flinders-matthew-2050> (accessed 15 June 2018); EF Jones, *The Coochiemudlo Island Heritage: A Historical Monograph*, Volume One, Coochiemudlo Island, Edward Field Jones, 1997, pp.5-8; 'Matthew Flinders journal in the Norfolk Sloop, 1799 C 211/2', Mitchell Library, State Library of New South Wales, http://acms.sl.nsw.gov.au/_transcript/2012/D14130/a002.html (accessed 19.7.18); 'Matthew Flinders Expedition', <http://monumentaustralia.org.au/themes/landscape/exploration/display/98807-matthew-flinders/photo/1> (accessed 18 July 2018). Flinders also described five other islands, in a north-to south-sequence, in Moreton Bay - which were later called Mud, St Helena, Green, King, and Peel islands. The Brisbane River remained undiscovered by Europeans at this stage.
- [5] John Pearn, 'Innis of Innis Island', in J Pearn (editor), *Characters, Coves and Cliffs, vignettes of Coochiemudlo Island and Moreton Bay*, Brisbane, Amphion Press, 1995, pp.3-12. The penal settlement was established at Redcliffe in 1824, then moved to the present site of the Brisbane CBD in 1825. In 1827 the settlement was commanded by Captain Logan of the 57th Regiment. Coochiemudlo is labelled as Innis Island in an 1842 map by Surveyor Robert Dixon, based on his 1840 survey of Moreton Bay (Edward F Jones, 'Coochiemudlo Island in the nineteenth century', in J Pearn (editor), *Chronicles of Coochiemudlo: selected vignettes of the social and natural history of Coochiemudlo Island*, Moreton Bay Queensland, Brisbane, Amphion Press, 1993, pp.23-32).
- [6] 'Telegraphic', *Brisbane Courier*, 18 July 1864, p.2; 'Acclimatisation Society', *North Australian*, 30 July 1864, p.1; 'Queensland Acclimatisation Society', *Brisbane Courier*, 16 November 1864, p.2 (Hawk visit); 'Queensland Acclimatisation Society', *Brisbane Courier*, 25 August 1870, p.3; 'The islands in Moreton Bay', *Queensland Country Life*, 1 February 1907, p.10 (rabbits died or were killed). During the November 1864 visit, Innis Island was noted as a pretty island, with red bluffs, lagoons of fresh clear water, and a white sandy beach. In 1867 it was noted that animals on the island had no protection against the 'loafers' in the bay who used it as a shooting ground, or those who camped there while passing between Brisbane and the Logan and Albert Rivers ('Queensland Acclimatisation Society', *Queenslander*, 14 September 1867, p.6).
- [7] Surveyor General's Office, William Davidson memorandum to George Thomas McDonald, 24 November 1885 (provided by Applicant, 3 May 2018).
- [8] General directions for the guidance of surveyors, Brisbane, W Thorne 1878, p.5 (excerpt provided by Applicant, 3 May 2018).
- [9] T Blake, G Murtagh and C Brouwer, 'At the beach: the cultural significance of beach settlements and beach houses', for the National Trust of Queensland, December 2001, pp.17-21, 45-6.
- [10] 'Types of Land Tenure: Roads', <https://www.qld.gov.au/environment/land/state/use/roads/> (accessed 6 October 2016).
- [11] DNRME Survey Plan C3281, 1886. The southwest corner of the island is not labelled as part of Victoria Parade, but it is also not one of the nine subdivided sections of the Town of Coochie. McDonald's sketch plan of the subdivision, sent to the Surveyor-General's Office in February 1886, does not show an esplanade around the eastern half of the island (QSA, Item ID 103710, Letters received - Survey Office, letter 86/1776).

[12] 'Special Lease', *Brisbane Courier*, 20 December 1915, p.12. Soon after it was advertised as a Special Lease for 20 years ('Coochiemudlo Island', *Telegraph*, 29 April 1916, p.11).

[13] Morton 40 Chain Map, Sheet 3 East, Survey Office, Department of Public Lands, Brisbane, June 1927.

[14] Special Leases of portions 22, 45 and 46, for 10 years, were offered for sale, by public auction at the Land Office, 3 February, 1937 ('Government sale' *Telegraph*, 13 January 1937, p.24). Doug Morton held the lease for portion 22 at one period (annotation on DNRME Survey Plan C3281, 1886, on which portion 22 is also noted as being 22 acres (8.9ha) in size; M Howells, 'Places of the Redlands: Coochiemudlo island', *Local History in the Redlands*, Number 2, 2001). DNRME Survey Plan SL1749, 1944 (Portion 46); DNRME Survey Plan SL3833, 1962 (Portion 45).

[15] *Brisbane Courier*, 1 June 1886, p.1; 'Government land sale', *Telegraph*, 24 January 1888, p.4. The 1886 article stated that a lack of communication between the island and the mainland was the cause of the lack of interest. The Queensland Government had approved funding of a railway to Cleveland in December 1884 ('Legislative Assembly', *The Queenslander*, 20 December 1884, p.984) and the railway was completed in 1889. Although the railway boosted Cleveland as a beach resort ('History of Cleveland', https://www.redland.qld.gov.au/info/20145/suburb_histories/187/history_of_cleveland (accessed 18 July 2018)), it was not sufficient to cause a development boom on Coochiemudlo.

[16] 'Moreton Bay. Government establishments. Inspection by Colonial Secretary', *Telegraph*, 19 January 1892, p.5.

[17] EF Jones 'Coochiemudlo Island in the nineteenth century', in Pearn, J (editor), *Chronicles of Coochiemudlo*, p.28 (timber removal); D Foley and J Pearn 'The Land and its uses', in Pearn, J (editor), *Chronicles of Coochiemudlo*, p.167 (cattle grazing).

[18] J Pearn, 'Coochiemudlo Pioneers', in J Pearn, (editor). *Characters, Coves and Cliffs*, pp. 13-20. Henry had been fired from the Customs Service for 'tapping off' rum. Norman later went on to start Norman R Wright Boatbuilders in 1909.

[19] 'Excursions', *Telegraph*, 9 April 1896, p.1.

[20] 'Birds and animals, reserves proclaimed', *Telegraph*, 21 November 1919, p.9; *Queensland Government Gazette*, 22 November 1919, p.1793. This proclamation referred to 'the area embraced in the Island of Coochiemudlo'.

[21] J Bland 'A pioneer island farm', in Pearn, J (editor), *Chronicles of Coochiemudlo*, pp.143-152; 'Weddings', *Brisbane Courier*, 4 July 1923, p.17. Forrest owned a small cottage on the island, which had been built by a Mr Morcom c.1900. The Mortons moved to Karragarra Island in 1967 ('Coochiemudlo Centenary', *Courier Mail*, 24 August, 1970, p.5, in M Potter, 'Pioneers in Paradise', in J Pearn, (editor) *Characters, Coves and Cliffs*, p.39).

[22] Other families farming on Coochiemudlo during the early-mid 20th century included the Salisbury family (pre WWII) and the Pullen family (c.1950) near the northeast corner of the island; Alf and Arthur Ridley (farm later sold to the Campbells) east of the Mortons; the Elliots (from 1944, east of Tageruba Street, to the north of Victoria Parade South – farmhouse extant at the corner of Dawn street in 2018); and Bruce Phillips owned the southeast corner of the island (portion 46) from c1939. There were also some holiday homes and weekenders, including those owned by Dr Allan Henry, west of the Elliots; Bill James (a two-storey house, later the island store until it burnt down), and the Osbornes (c1938, house possibly extant corner of Tageruba Street, 2018) to the east of the Elliots; while the retired Smiths lived on an orchard west of the Elliots. (D Stewart, 'Kids at Coochiemudlo- the pre-war years', in J Pearn, (editor), *Chronicles of Coochiemudlo*, pp.36, 38, 39; D Foley and J Pearn 'The Land and its uses', in J Pearn, (editor), *Chronicles of Coochiemudlo*, pp.167-171; M Potter, 'Pioneers in Paradise', in J Pearn, (editor) *Characters, Coves and Cliffs*, pp.28-32; M Howells, 'Places of the Redlands: Coochiemudlo Island'; 'Coochiemudlo Heritage Walk', pamphlet with map, Coochiemudlo Island Heritage Society; DNRME Survey Plan SL1749, 1944 (portion 46, William Bruce Phillips).

[23] 'A day on the island of Coochie-Mudlo', *Courier Mail*, 4 August 1938, p.3 (fruit produce); J Bland 'A pioneer island farm', in Pearn, J (editor), *Chronicles of Coochiemudlo*, p.147; D Stewart, 'Kids at Coochiemudlo- the pre-war years', in Pearn, J (editor), *Chronicles of Coochiemudlo*, p.38; M Howells, 'Places of the Redlands: Coochiemudlo Island'.

[24] 'Coochie Mudlow, beautiful isle', *Sunday Mail*, 15 March 1931, p.2; 'Joys of youth', *Brisbane Courier*, 9 April 1931, p.14 (Cub Scouts); 'On to Southport', *Telegraph*, 30 January 1932, p.9; 'Entrancing Coochie Mudlo', *Brisbane Courier*, 10 December 1932, p.19; 'A day on the island of Coochie-Mudlo', *Courier Mail*, 4 August 1938, p.3; 'Fishing', *Worker* 11 August 1936, p. 20.

[25] From this jetty, visitors were conveyed in a trolley drawn by the Mortons' Clydesdale draught-horse along a tramline with timber rails to the base of the cliff (about 450m distance) – where Morton had excavated "the Khyber Pass" (cutting extant in 2018) up to the Morton farm. South of the farmhouse there was a sunken garden, which tourists passed though on their way to a lookout mound (lookout site extant 2018, with a modern concrete slab) which Morton had constructed at the top of the red cliffs, with a view towards Victoria Point. (J Bland 'A pioneer island farm', in Pearn, J (editor), *Chronicles of Coochiemudlo*, pp.144-150; D Stewart, 'Kids at Coochiemudlo- the pre-war years', in Pearn, J (editor), *Chronicles of Coochiemudlo*, p.38; M Howells, 'Places of the Redlands: Coochiemudlo Island'; 'New Tourist attraction in bay opened', *Telegraph*, 20 November 1941, p.3 (this article claimed that Point Lookout-Amity Resorts and Cruises Pty Ltd had built the jetty); Advertisements for the MV Lookout's cruises to Coochiemudlo occurred in newspapers during 1941-42).

[26] J Bland 'A pioneer island farm', in J Pearn (editor), *Chronicles of Coochiemudlo*, p.149.

[27] Morton's jetty at the base of the red cliffs was still extant in 1955, as was his 1941 jetty at the southwest tip of the island (DNRME aerial photograph QAP0537113, 27 July 1955). By 1964, the jetty below the red cliffs had a bathing enclosure near its base on the east side; but the jetty was in a ruinous state by 1973 (DNRME aerial photographs QAP15937067, 16 August 1964; and QAP15937067, 1973). [28] J Bland 'A pioneer island farm', in J Pearn, (editor), *Chronicles of Coochiemudlo*, p.151 (golf course); J Pearn and M O'Connor, 'The Army and World War Two', in J Pearn (editor), *Chronicles of Coochiemudlo*, pp.43-63. No.42 Landing Craft Company, which also trained on the island, had a camp near the modern jetty on Main Beach. A final exercise by No 43 Landing Craft Company, in March 1944, involved a mock assault on Morwong beach (called Baby Bay until 1961), accompanied by explosions for realism. In the post-World War II period, the island continued to be used for training by Reservists of the Army's Water Transport Squadrons.

[29] Early subdivisions occurred in the northwest of the island (T Sampson, 1957); at the corner of Victoria Parade South and Tageruba Road (Clark and Lowry, 1959); and in the southeast corner of the island (William B Phillips, 1960); followed by the subdivision of most of the rest of the island from 1961. DNRME Survey Plan RP87676, 1957; DNRME Survey Plan RP92550, 1959; DNRME Survey Plan RP94332 1960; DNRME Survey Plans RP97358 and RP97359, 1961 (balance of Portion 46); DNRME Survey Plan RP99122, 1962 (subdivision of Portion 60, which had been surveyed off Portion 45 in 1961 (DNRME Survey Plan SL3771, 1961). The balance of Portion 45 later became a Local Government Reserve, containing the Melaleuca wetlands, c1965 (annotation on DNRME Survey Plan SL3833, 1962).

[30] D Foley and J Pearn 'The Land and its uses', in J Pearn (editor), *Chronicles of Coochiemudlo*, p.175.

[31] M O'Connor, 'The ferries and ferrymen of Coochiemudlo Island', in J Pearn, (editor) *Characters, Coves and Cliffs*, p.53.

[32] DNRME Survey Plan SL4349, 1963; DNRME Certificate of Title 49009321, 1963.

[33] A 1955 aerial photograph of the island shows that over half of the western side of the island had been cleared for farming, while only a small area at the southeast corner of the island had been cleared (DNRME aerial photograph QAP0537113, 27 July 1955).

[34] Newspaper articles during the 1880s refer to esplanades at all of these locations. All retain either seaside esplanades or public reserves in 2018 (Smartmap Information Services, DNRME). Redland Bay also had an esplanade by 1885 (DNRME Survey Plan RP30542).

[35] D O'Connor, 'Opportunities past and lessons for the future', in J Pearn, (editor) *Chronicles of Coochiemudlo*, pp.183-4 (1965 population); D Foley and J Pearn 'The Land and its uses', in J Pearn (editor), *Chronicles of Coochiemudlo*, p.179 (services connected). http://www.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC30675

(accessed 29 June 2018), census data 2016. The median age of island residents was 58.

[36] DNRME aerial photographs QAP15937067, 16 August 1964 (Phillips' jetty visible); and QAP15937067, 1973 (1971 jetty visible west of previous jetty's piles); D Foley and J Pearn 'The Land and its uses', in J Pearn (editor), *Chronicles of Coochiemudlo*, p.179 (1971 jetty); Google Earth 2014-2015 (new jetty under construction just west of 1971 jetty).

[37] D Foley and J Pearn 'The Land and its uses', in J Pearn (editor), *Chronicles of Coochiemudlo*, p.179; M O'Connor, 'The ferries and ferrymen of Coochiemudlo Island', in J Pearn, (editor) *Characters, Coves and Cliffs*, pp.51-57.

[38] 'Coochiemudlo Island Land Management Plan, February 2004', p.8.

[39] D O'Connor, 'Opportunities past and lessons for the future', in J Pearn, (editor) *Chronicles of Coochiemudlo*, p.184.

[40] DNRME Survey Plan IS8078, 1971 (shows tennis court site – a small part of the east side of the court is outside the esplanade, in allotment 5 of Section IX); DNRME Survey Plan SL8349, 1977 (Reserve for Public Hall, originally 750m², later extended to 851m²). The one-storey Elliot Community Hall opened in September 1973, and was replaced with a two storey hall in 1991 (J Pearn and E Codd, 'Houses and housing – the built environment', in J Pearn, *Chronicles of Coochiemudlo*, pp.192-3). The Redlands City Council was gazetted as trustee of the 851m² hall reserve in 1978 (DNRME Certificate of Title 49012880, 1978). EF Jones, *The Coochiemudlo Island Heritage*, p.8 (Flinders' landing re-enactments). DNRME aerial photograph QAP4917004, 16 November 1990 (further land being cleared for golf course, to the west of the existing course).

[41] Lot 101, C3281 (DNRME Certificate of Title 13967197, 1966). Owned in 2018 by Redland City Council.

[42] DNRME Survey Plan SP144276, 2001 (esplanade south of Lot 22 closed as road; Lot 23 closed as road); DNRME Survey Plan SP199973, 2006 (closure of lots 24, 25, 26 as road); DNRME Certificate of Title 49009321, 1963 (Lots 22-25 as Recreation Reserve); DNRME Certificate of Title 49102780, 2002 (Lot 26 as Environmental Reserve). This meant that 32.5ha of the former esplanade was no longer road reserve by 2006 (the area of lots 22-26, and Lot 137, the hall reserve).