

### 19.3 PROPOSED ENVIRONMENTAL MAJOR AMENDMENT PACKAGE (04/19)

**Objective Reference:****Authorising Officer:** Louise Rusan, General Manager Community & Customer Services**Responsible Officer:** David Jeanes, Group Manager City Planning & Assessment**Report Author:** Jodi Poulsen, Principal Environmental Strategic Planner**Attachments:**

1. DSDMIP State Interest Review Notice to change and pause timeframe - Confidential
2. Proposed response to Notice to change and pause timeframe - Confidential
3. Major Amendment to City Plan: Environment (04/19) (Amended September 2019) - Confidential
4. Environmental significance overlay maps OM-007 and OM-008 (Amended September 2019) - Confidential

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

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

**PURPOSE**

The purpose of the report is to seek direction from Council on matters raised by the Queensland Government Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) in its assessment of the proposed Environmental Major Amendment Package (04/19), adopted by Council at its General Meeting on 20 February 2019.

**BACKGROUND**

Council resolved on 10 October 2018 to commence a major amendment to City Plan. At the General Meeting of 20 February 2019 a confidential report was presented to Council to consider Environmental Major Amendment Package (04/19). Council subsequently resolved, pursuant to the Minister's Guidelines and Rules, to submit the contents of the proposed amendment to the Queensland Minister for State Development, Manufacturing, Infrastructure and Planning (the Minister) for the purpose of completing a State interest review.

As per the Council resolution of the 20 February 2019, the amendment package submitted to the Minister contained proposed amendments to Table 5.9.1 Assessment benchmarks for overlays (Environmental significance overlay) and changes to the Environmental significance overlay maps.

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

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

On 29 March 2019, DSDMIP issued a 'Notice of advice to change and pause the timeframe of a proposed amendment' under section 17.3 of Chapter 2, Part 4 of the Minister's Guidelines and Rules. This notice advised Council to either make changes to the proposed amendments or to provide further information on the proposed amendments to demonstrate how they appropriately integrate State interests, and is outlined in Attachment 1.

### **Supplementary background information**

#### Bushfire management

In addition, and in response to concerns raised by Councillors during discussions on the proposed environmental amendment package, officers have also sought further legal advice on what clearing landowners may lawfully be able to undertake to manage bushfire risk particularly on large and well vegetated rural zoned properties located outside of the urban footprint. Currently City Plan's table of assessment includes a *note* which states — *Clearing for purposes mentioned in part 1 of Schedule 21 of the Regulation is not made assessable by this planning scheme. Essential management, as defined in the Regulation, is also not made assessable by this planning scheme.* Legal advice was required to clarify the interpretation of this note, particularly in the context of two relevant recent judgments handed down by the Appeals Court; being *Fairmont Group Pty Ltd v Moreton Bay Regional Council* [2019] QCA 81 and *Traspunt No 4 Pty Ltd v Moreton Bay Regional Council* [2019] QCA 51.

The Fairmont case was in relation to "exempt clearing work" under the *Planning Regulation 2017* which was "assessable development" under the local authorities planning instrument. The Traspunt case was in relation to the definition and interpretation of "essential management". These two cases have important implications in terms of how City Plan's table of assessment and note are interpreted in relation to vegetation clearing. The purpose of the note in the City Plan is to make clear that clearing for a purpose mentioned in schedule 21, part 1 of the *Planning Regulation 2017* is not assessable development. This is independent of whether or not the vegetation is mapped as category x (i.e. not regulated) by the State's regulated vegetation mapping (the subject of the Fairmont case). The Traspunt case found that for the purposes of *essential management* a dwelling house did not constitute infrastructure and so the allowable clearing under this definition cannot be used to undertake clearing for the protection of a dwelling house.

In response to these recent judgements, the Queensland Government has made amendments to the *Planning Regulation 2017* to the definition of 'infrastructure' to include any building or structure (namely, dwelling houses). It is important to note that the changed definition of 'infrastructure' in the *Planning Regulation 2017* is only for the purposes of essential management. There are other exemptions related to clearing for 'infrastructure' which continue to exclude a dwelling house (relating only to transport and other public or community infrastructure).

At a Council briefing on the 28 August 2019, Council was advised of this change in the *Planning Regulation 2017*. Council advised officers that the current policy position, as set out in City Plan, which defers to the State's exemptions and allowances is to be maintained.

#### Regulatory amendments for koala habitat protection

It is also important to note that while this amendment package has been progressing the State has also been working on further amendments to the *Planning Regulation 2017*, specifically to address koala habitat protection. These amendments remain highly confidential as required by the State Government, however may overlap with the content of Council's Environmental Major Amendment

Package (04/19). This may therefore necessitate further consideration of the Environmental Major Amendment Package and discussion with Councillors at a later date.

## ISSUES

### Proposed Environmental Major Amendment Package (04/19)

The 'Notice of advice to change and pause the timeframe of a proposed amendment' contains a summary of outstanding matters that DSDMIP has identified require further consideration from Council.

Council officers have reviewed the outstanding matters and determined that they are:

- Specific requested changes that require further consideration by Council, or
- Other general matters seeking information to demonstrate State interests are integrated.

Attachment 2 identifies both the matters raised by the State and the recommended responses from Council officers. Both the matters raised and recommended responses are summarised and discussed below.

#### Specific requested changes requiring further Council consideration

*Policy amendment: Consider provisions in the purpose statement, overall outcomes and performance outcomes of the Environmental significance overlay code*

In accordance with Council's confidential General Meeting resolution on 10 October 2018, the report presented to Council on 20 February 2019 sought only changes to the Environmental significance overlay map and Table 5.9.1 Assessment benchmarks for overlays (Environmental significance overlay). The report did not consider broader changes to the Environmental significance overlay code. Subsequently, the State interest review undertaken by DSDMIP as per the Minister's Guidelines and Rules has identified that:

- Provisions to protect and enhance the Matters of Local Environmental Significance (MLES) values should be included to more clearly protect existing corridors;
- Particularly, DSDMIP has requested that Council consider provisions that avoid adverse impacts, minimise adverse impacts where they cannot be reasonably offset and require an offset for significant residual impact.

Council officers have reviewed the State comments and recognise that incorporating additional provisions into the Environmental significance overlay code will provide greater clarity in translating the Wildlife Connections Plan (WCP) into the City Plan. It is therefore recommended that additional amendments be undertaken to the Environmental significance overlay code, as detailed in Attachment 3, to address DSDMIP's concerns.

The proposed amendments to the Environmental significance overlay code include inserting specific statements that reflect the policy intent of the WCP in the Purpose section of the code. It is also proposed to make small changes to PO4 and AO4 to better reflect terminology used in the WCP, and amend AO14.1 and insert Table 8.2.4.3.2 to better reflect the WCP.

DSDMIP has also recommended that definitions of MLES and Matters of State Environmental Significance (MSES) be included in the City Plan to ensure users can clearly understand the different natural values when applying offsets under the environmental offsets framework.

It is noted that Council may determine to pursue the proposed amendment as originally drafted and not pursue further changes to the Environmental significance overlay code. In these circumstances Council would need to formally advise DSDMIP to continue to assess the proposed amendment as submitted, recognising it is possible the Minister may condition the changes requested in the Pause Notice to be made prior to public consultation.

*Policy amendment: Consider changes to mapping product to improve mapping and extend protection*

The proposed changes to the Environmental significance overlay map seek to incorporate the mapping from the *Wildlife Connections Plan* (WCP). The methodology in translating the WCP mapping into the Environmental significance overlay map was presented to Council on 10 October 2018 and was captured in the drafting instructions Council formally adopted through its resolution at that meeting. These can be summarised as follows:

- a) *All areas identified as Core Habitat as mapped in the WCP*
- b) *All Established Corridors subject to the removal of all lots less than 1000m<sup>2</sup> within the urban footprint (unless already in an open space, conservation or environment protection zone). All Regional Riparian Corridors subject to the removal of all road reserves, community facilities (in urban footprint) and where land use is for a retirement village (excluding Dinwoodie), and from lots that are zoned:*

- *Character Residential*
- *Tourist Accommodation*
- *Principal Centre*
- *Major Centre*
- *District Centre*
- *Local Centre*
- *Neighbourhood Centre*
- *Specialised Centre*
- *Mixed Use*
- *Road Reserves*
- *Community Facilities in the Urban Footprint*

*Clip all lots that are less than 1000m<sup>2</sup> and zoned:*

- *Low Density Residential*
- *Low Medium Density Residential*
- *Medium Density Residential*
- *Low Impact Industry*
- *Medium Impact Industry*

- c) *Coastal Foreshore, Enhancement and Stepping Stone Corridors include only where corridor intersects with the current Environmental significance overlay Map.*

Subsequently, the State interest review undertaken by DSDMIP as per the Minister's Guidelines and Rules has suggested that:

- I. The WCP identifies a 60m buffer around core habitat areas, this should be mapped



- II. Irregular boundaries should be smoothed and “cookie cut” gaps in the mapping should be removed to improve mapping
- III. MLES corridors could be extended in some areas (based on aerial photography and appropriate zoning) to enhance connectivity
- IV. Coastal Foreshore, Enhancement and Stepping Stone corridors should be mapped in Emerging Urban Communities and Rural zones (within the urban footprint) to improve connectivity in undeveloped areas.

In response to items I, II and III above Council officers have reviewed DSDMIP’s position and undertaken further investigation into the matter. In summary, while the State’s comments are noted, detailed technical assessment underpinned the WCP mapping. Recognising these circumstances it is recommended DSDMIP’s comments be provided to the Environment and Regulation Group for consideration when the WCP is reviewed, rather than arbitrarily being undertaken through the City Plan amendment process.

Through officer level discussions DSDMIP officers have noted the above, however have made further recommendations that mapping would be improved by:

- identifying MLES (Red) as a ‘Primary Environmental Corridor’ and MLES (Blue) as a ‘Secondary Environmental Corridor’
- identifying the three potential sub-categories under the Primary and Secondary Environmental Corridors.
- detailing the intent of each category in the Purpose and Overall outcomes the proposed Environmental significance overlay code.

The State has also encouraged Council to review the map ‘Major ecological corridors (mainland only) SFM-001: Strategic Framework maps’.

Note: it was decided to group the corridor categories as shown on the maps ‘City Plan – Major Amendment (Environmental) Environmental significance overlay Amendment Version’ to limit visual clutter and improve usability. Amending the maps as DSDMIP have suggested would result in a complex multi-layered overlay map. In addition, if adopted the amended overlay would be accessible on Council’s online Red-E-Map, where users can also view the WCP mapping to determine which corridor category is applicable to their property, so the benefit of DSDMIPs proposed changes is nominal.

In regards to item IV above, Council officers note that planning for the only remaining Emerging Community zoned area on the mainland is already underway and the detailed structure planning process represents the most effective mechanism for resolving the location, size, width and function of corridors within this area. It is also noted that Council has already determined that mapping lower order corridors in unvegetated areas and potentially regulating uses was unlikely to contribute significantly to achieving the outcomes of the WCP. The amendment, as drafted, recognises regulating clearing represents the most effective way to achieve the outcomes of the WCP through the City Plan.

In considering the State’s comments it is noted that under the current City Plan rural zoned properties located within the urban footprint, where located outside core habitat and wildlife corridors as identified in this proposed amendment, currently have a clearing threshold of up to 2500m<sup>2</sup> as accepted subject to requirements. This level of clearing, on generally smaller sized rural lots in the urban footprint, may be undesirable in terms of delivering the outcomes of the

Environmental significance overlay code within the urban footprint of the city. The State has recommended that this potential anomaly could simply be addressed by including an amendment in the Tables of Assessment for the Environmental significance overlay to add a development category for 'the rural zone' *if within the SEQ Regional Plan's urban footprint* to apply clearing thresholds in these areas of 500m<sup>2</sup>, which is generally consistent with clearing thresholds for other zones in the urban area of the City.

As previously noted in the report, if Council determines to pursue the proposed amendment without making changes to the proposed mapping it will need to formally advise DSDMIP of its position. It also needs to recognise that it is possible the Minister may condition the changes requested in the Pause notice to be made prior to public consultation.

*Policy amendment: remove MLES – corridors layers in Priority Development Areas*

The State interest review undertaken by DSDMIP as per the Minister's Guidelines and Rules has identified that MLES has been included in the PDA areas at Toondah Harbour and Weinam Creek. This has no practical effect, as development in these areas is assessed against the Toondah Harbour and Weinam Creek PDA Development Schemes (both adopted by the State on the 29 May 2014). It is therefore recommended that proposed MLES – corridors in these areas be removed from the amendment package.

#### General Minor Changes/Minor Requests for Information

The State interest review has also identified a number of other minor matters requiring Council to either provide additional information or make a minor change. These matters are summarised below:

- Provide additional information on why Council did not make other uses assessable development in the corridor areas (in particular dwelling houses, caretakers' accommodation and environmental facilities)
- Provide additional information regarding the methodology for the WCP mapping and how overlaps with mapped Matters of State Environmental Significance are to be resolved
- Consider how the proposed amendments take into account Schedule 10, Part 10 and Schedule 11 of *the Planning Regulation 2017* – in this regard it is recommended that Council accepts a change to the Editors note to "*Referral or approval under the Planning Act or Regulation 2017 and Water Act 2000 may also be required.*"

Attachment 2 outlines the recommended responses from Council officers in regards to the matters highlighted above.

In addition, DSDMIP has formally advised Council that the MSES mapping layer in the State Planning Policy was updated to reflect the most current MSES regulated vegetation (updated 30 January 2019). DSDMIP has encouraged Council to consider an amendment process to ensure this updated MSES mapping is integrated into the City Plan. It is currently proposed to update the MSES mapping as a future minor amendment to the City Plan, separate to this amendment.

#### **Further information – changes in assessment**

In addition to the review undertaken by DSDMIP, Councillors have requested additional information in relation to the changes to the City Plan, as a result of the proposed amendments. In particular, Councillors have requested further information on the changes to assessment for landholders seeking to clear vegetation. There will be no change to any level of assessment for any 'use' (e.g.

domestic uses, home business, etc.). The table below outlines where the proposed amendments will change the level of assessment for vegetation clearing.

PROPERTY ZONE	CITY PLAN V1	CITY PLAN, AMENDMENT 04/19
Any zone – and also mapped in the Waterway corridors and wetlands overlay	All clearing assessable (code).	No change.
Emerging Community Environmental Management Low-Medium Density Residential Medium Density Residential Tourist Accommodation Conservation Recreation and Open Space	All clearing code assessable.	No change.
Any other zone in the urban area	Clearing more than 500m <sup>2</sup> code assessable.	If also mapped in MLES – Enhancement/Stepping Stone/Coastal Foreshore Corridors or MLES – Core Habitat/Established/Regional Riparian corridors – All clearing code assessable. Otherwise – no change.
Community facilities zone (outside of urban area)	Clearing more than 2500m <sup>2</sup> code assessable.	If also mapped in MLES – Enhancement/Stepping Stone/Coastal Foreshore Corridors or MLES – Core Habitat/Established/Regional Riparian corridors – All clearing code assessable. Otherwise – no change.
Rural zone (outside of urban area)	Clearing more than 2500m <sup>2</sup> code assessable.	If also mapped in MLES – Enhancement/Stepping Stone/Coastal Foreshore Corridors or MLES – Core Habitat/Established/Regional Riparian corridors – All clearing assessable (code). Otherwise – no change.

Where a landholder is required to make an application, the application will need to address the provisions of the Environmental significance overlay code. The following table outlines the financial cost and time to make an application to Council.

COST BREAKDOWN	AREA PROPOSED TO BE CLEARED		
	500m <sup>2</sup> *	1000m <sup>2</sup> *	2000m <sup>2</sup> *
Prepare application (if ecological report required)	\$2000-\$10 000		
Application fees	\$388-1260 <sup>#</sup>		
Application time to assess - Without info request	1-2 months		
- With info request	3 months		
Possible offset costs			
- MSES - SEQ koala habitat	\$11 500.00	\$23 000.00	\$46 000.00
- MSES - Regional Ecosystem~	\$17 856.60	\$35 713.20	\$71 426.40

COST BREAKDOWN	AREA PROPOSED TO BE CLEARED		
	500m2*	1000m2*	2000m2*
- MLES~	\$11 250.00 to \$17 856.60	\$12 500.00 to \$35 713.20	\$17 856.60 to \$71 426.40

#whether inside or outside urban area (Part 1.7.3)  
 ~Includes landholder incentive payment (which is a component of the financial settlement offset calculation. It is not intended to cover the full lost economic opportunity costs of a proposed offset, rather enough motivation for the individual landholder to be willing to participate in the market) and administrative cost (the estimated cost to the government to maintain and administer the land-based offset over its life).

For context, it is important to note that many of the properties mapped as MLES – corridor in the proposed amendment package are already mapped in both the Environmental significance overlay and the Waterway corridors and wetlands overlay – which means that there is no comparison to make as there will be no change.

It is also important to note that City Plan allows for clearing that is made ‘exempt’ by the *Planning Regulation 2017*. That is, some clearing to minimise risk from bushfire or associated with building, renovations or property maintenance may be undertaken without making an application to Council. These include clearing:

- a firebreak that is the greater of 1.5 times the height of the nearest vegetation or 20m to protect homes and other infrastructure
- to establish a fire management line of up to 10m
- to maintain infrastructure, including fences and tracks, or
- to establish or maintain a fence, road or track – in accordance with the State’s accepted development vegetation clearing code.

The below scenarios only relate to those properties where clearing is not for an exempt purpose, and that are not already mapped in both the Environmental significance overlay and Waterway corridors and wetlands overlay (or those properties that are not currently mapped in the Environmental significance overlay, of which there are 562 across the City, including the islands).

*Scenario 1 – urban areas*

*Low Density zone lot 600m<sup>2</sup>, partially covered by ES overlay, not included in MLES – corridor map*

The property owner is proposing to build a house on vacant land, and would be able to clear up to 500m<sup>2</sup> without having to make an application to Council.

*Low Density zone lot 600m<sup>2</sup>, partially covered by ES overlay, portion mapped by ES overlay now also included in MLES – corridor map*

The property owner would need to design/locate their house to avoid having to clear the vegetation that is mapped. If they cannot avoid the mapped vegetation they may be required to make an application to Council, with cost of up to \$2 500, and offset costs of \$11 000 to \$18 000.

*Scenario 2 – rural areas*

*Rural zoned lot of 1ha or 10 000m<sup>2</sup>, partially covered by ES overlay, not included in MLES – corridor map*

The property owner is proposing to build a house on vacant land, and would be able to clear up to 2 500m<sup>2</sup> without having to make an application to Council.

*Rural zoned lot of 1ha or 10 000m<sup>2</sup>, partially covered by ES overlay, portion mapped by ES overlay now also included in MLES – corridor map*

The property owner would need to design/locate their house to avoid having to clear the vegetation that is mapped in the MLES – corridor layer. If they cannot avoid the mapped vegetation they may be required to make an application to Council, with cost of up to \$11 260, and offset costs of between \$18 000 and \$72 000.

## **STRATEGIC IMPLICATIONS**

### **Legislative Requirements**

The Environmental Major Amendment Package (04/19) 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 City Plan will ensure the document remains current and consistent with community expectations. Mandatory public consultation requirements for major planning scheme amendments will also ensure the community is given the opportunity to provide feedback on any proposed changes.

### **Financial**

The proposed amendments to 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 City Plan will be primarily drawn from the Strategic Planning Unit of the City Planning and Assessment Group.

### **Environmental**

The proposed amendments are a critical component of ensuring the outcomes of the Wildlife Connections Plan are able to be achieved.

### **Social**

Implementing the Wildlife Connections Plan will provide a social benefit; providing recreational opportunities, including shade and open space and connecting people with nature.

### **Alignment with Council's Policy and Plans**

Redland City Council's Corporate Plan 2018-2023 establishes a commitment to promoting:

*"A diverse and healthy natural environment, with an abundance of native flora and fauna and rich ecosystems, will thrive through awareness, commitment and action in caring for the environment.*

- 1. Redlands' natural assets including flora, fauna, habitats, biodiversity, ecosystems and waterways are managed, maintained and monitored.*
- 2. Threatened species are maintained and protected, including the vulnerable koala species."*

Council understands that key to the delivery of this outcome is the maintenance of sufficient wildlife habitat across the city to support the ecological functions of the flora and fauna that live within or migrate through Redlands Coast.

The primary purpose of the proposed amendments is to ensure that City Plan aligns with Council's current strategic policy position related to the ongoing protection, management and enhancement of these important connections, which is expressed through the Wildlife Connections Plan.

## CONSULTATION

Consulted	Consultation Date	Comments/Actions
Environment and Regulation Group	9 April 2019	Sought and received advice on suggested mapping changes.
Community and Economic Development Group	7 May 2019	Provided with copy of pause notice and state interest assessment as well as draft response and proposed changes.
Councillors via Councillor Briefing Sessions	4 September 2018 and 19 February 2019	Briefed on translation and drafting principles (4 September); and Presented content of package, drafted in accordance with agreed principles (19 February).

## OPTIONS

### Option One

That Council resolves as follows:

1. To respond to the Queensland Government Department of State Development, Manufacturing, Infrastructure and Planning to address requested changes and provide requested information in response to the notice given under Chapter 2, Part 4, Section 17.3 of the Minister's Guidelines and Rules for Environmental Major Amendment Package (04/19), as set out in Attachment 2.
2. To submit the revised Environmental Major Amendment Package (04/19), as set out in Attachments 3 and 4 to Department of State Development, Manufacturing, Infrastructure and Planning.
3. That this report and attachments remain confidential until such time that the amendment is released for public consultation, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information and subject to Council and Ministerial approval and details published in accordance with legislative requirements.

### Option Two

That Council resolves as follows:

1. To respond to the Queensland Government Department of State Development, Manufacturing, Infrastructure and Planning to address requested changes and provide requested information in response to the notice given under Chapter 2, Part 4, Section 17.3 of the Minister's Guidelines and Rules for Environmental Major Amendment Package (04/19), with alternative responses to those in Attachment 2, as directed by Council.
2. To submit the revised Environmental Major Amendment Package (04/19), as set out in Attachments 3 and 4 to DSDMIP, subject to amendments.
3. That this report and attachments remain confidential until such time that the amendment is released for public consultation, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information and subject to Council and Ministerial approval and details published in accordance with legislative requirements.



### Option Three

That Council resolves as follows:

1. To not proceed with the Environmental Major Amendment Package (04/19), and advise the Queensland Government Department of State Development, Manufacturing, Infrastructure and Planning of this position.
2. That this report and attachments remain confidential until such time that the amendment is released for public consultation, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information and subject to Council and Ministerial approval and details published in accordance with legislative requirements.

### OFFICER'S RECOMMENDATION

That Council resolves as follows:

1. To respond to the Queensland Government Department of State Development, Manufacturing, Infrastructure and Planning to address requested changes and provide requested information in response to the notice given under Chapter 2, Part 4, Section 17.3 of the Minister's Guidelines and Rules for Environmental Major Amendment Package (04/19), as set out in Attachment 2.
2. To submit the revised Environmental Major Amendment Package (04/19), as set out in Attachments 3 and 4 to Department of State Development, Manufacturing, Infrastructure and Planning.
3. That this report and attachments remain confidential until such time that the amendment is released for public consultation, subject to maintaining the confidentiality of legally privileged, private and commercial in confidence information and subject to Council and Ministerial approval and details published in accordance with legislative requirements.



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

Our reference: MC19/1079 / MA-00030

29 March 2019

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

Via email: Stephen.Hill@redland.qld.gov.au

Attention: Stephen Hill

Dear Mr Hill,

**Notice to pause the timeframe for a proposed amendment to seek a change and request further information**

*(Given under chapter 2, part 5, sections 23.1, chapter 2, part 4, section 17.3 and chapter 2, part 5, section 25.1 of the Minister's Guidelines and Rules)*

Thank you for your letter received on 26 February 2019 advising of Redland City Council's (the council) decision to make a major amendment, the proposed Major Environmental Amendment (the proposed amendment) to the *Redland City Plan 2018* (City Plan).

The Department of State Development, Manufacturing, Infrastructure and Planning (the department) commends the council for undertaking this extensive proposed amendment to ensure the local ecological connectivity is maintained and enhanced.

Following an initial state interest review which commenced on 5 March 2019, the department has determined that the proposed amendment currently does not appropriately integrate relevant state interests.

In accordance with chapter 2, part 4, section 17.3 and chapter, 2, Part 5, section 23.1 of the Minister's Guidelines and Rules (MGR), I am taking the opportunity to advise the council during the state interest review to consider changing the proposed amendment and request further information to appropriately integrate state interests by taking the actions listed in **Attachment 1**.

In summary, the key state interest matters include:

1. Ensure the proposed mapped Matters of Local Environmental Significance (MLES) corridors are not the same or of similar value to the existing mapped Matters of State Environmental Significance (MSES)

2. Improve functionality of the proposed MLES corridors by reviewing the proposed mapping methodology under the Wildlife Connections Plan
3. Include consequential effects in the Environmental Significance Overlay Code.

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

As you are aware, on 30 January 2019 the Matters of State Environmental Significance (MSES) mapping layer in the State Planning Policy (SPP) was updated to reflect the most current MSES regulated vegetation. The department encourages the council to review and consider an amendment process to ensure the City Plan appropriately integrates the revised SPP mapping for MSES.

If you require further information, I encourage you to contact Darren Cooper, Principal Planning Officer, Planning and Development Services, on 07 5644 3223 or by email at [bestplanning-SEQS@dsdmip.qld.gov.au](mailto:bestplanning-SEQS@dsdmip.qld.gov.au).

Yours sincerely



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

Attachment 1: State interest review

**State interest assessment**  
**Environmental Major Amendment Package (04/2019)**

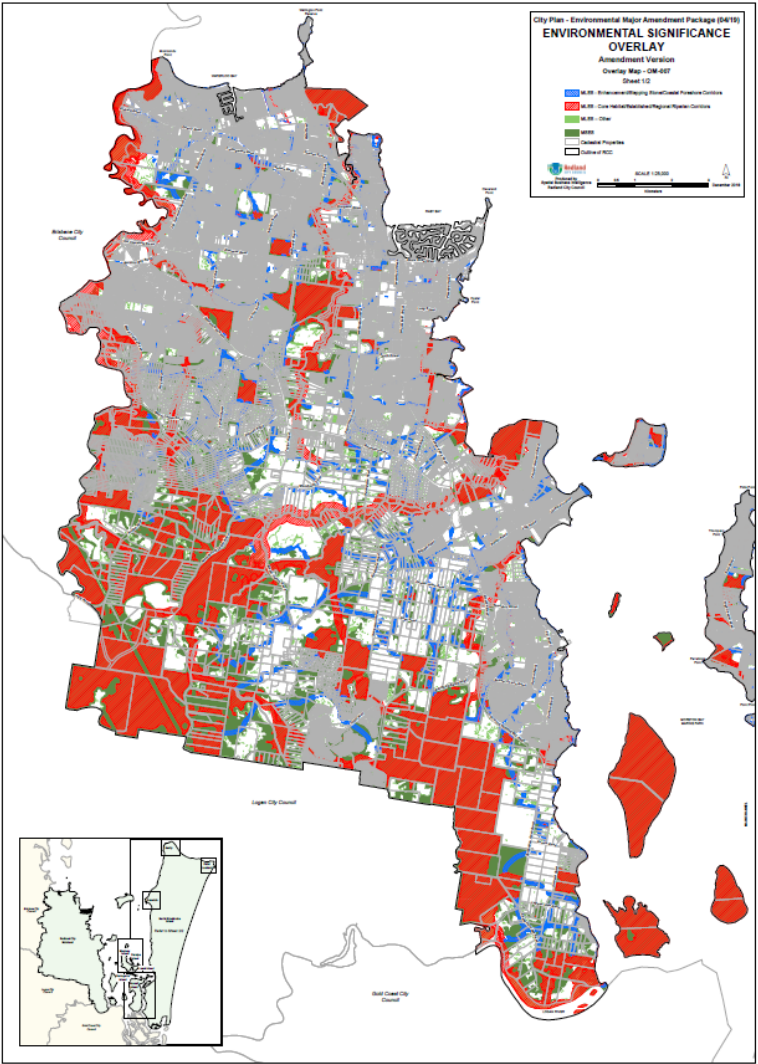
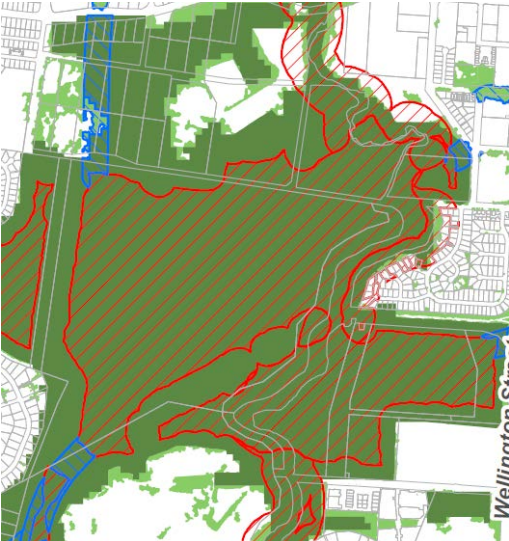
Page no(s)	Detail of change	State interests	State comment/s	Council response									
<b>City Plan text changes</b>													
Part 5 Tables of Assessment, Section 5.9 Overlay, Table 5.9.1 Assessment Benchmarks for Overlays – Environmental significance overlay	<p><b>Summary</b></p> <p>Amend the level of assessment for Operational work involving clearing of native vegetation.</p> <p><b>Proposed amendment</b></p> <table border="1"> <thead> <tr> <th>Development</th> <th>Categories of development and assessment</th> <th>Assessment benchmarks for assessable development and requirements for accepted development</th> </tr> </thead> <tbody> <tr> <td> <p>Operational work involving clearing of native vegetation</p> <p>If on land shown on the overlay map as:</p> <ul style="list-style-type: none"> <li>MLES – Core Habitat / Established / Regional Riparian Corridors, or</li> <li>MLES – Enhancement / Stepping Stone / Coastal Foreshore Corridors.</li> </ul> </td> <td> <p>Accepted if -</p> <p>(1) clearing is in the urban area and the lot size is less than 1000m<sup>2</sup>, except in the emerging community, and recreation and open space zones.</p> <p>Code assessment if not accepted.</p> <p>Editor's note—"Urban area" is defined under the Regulation. Refer also to section 1.7.3 of this planning scheme.</p> </td> <td>Environmental significance overlay code</td> </tr> <tr> <td> <p>Operational work involving clearing of native vegetation</p> <p>If on land otherwise shown on the overlay map.</p> <p>Note—Clearing for purposes mentioned in part 1 of Schedule 21 of the Regulation is not made assessable by this planning scheme. Essential management, as defined in the Regulation, is also not made assessable by this planning scheme.</p> <p>Editor's note—"Urban area" is defined under the Regulation. 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The proposed amendment only changes the level of assessment for Operational Work involving clearing of native vegetation. As such, there is a potential that some future land uses (i.e. dwelling houses, caretaker's accommodation, environmental facility) will avoid an assessment against the Environmental Significance Code allowing clearing would occur.</p> <p><b>Request for further information</b></p> <p>Please provide more information on the council's consideration to only amend the level of assessment for Operational Work involving clearing of native vegetation.</p> <p><b>Request for change</b></p> <p>Please consider an appropriate category of assessment for future development that has the potential to have an adverse impact on ecological connectivity that allows these impacts to be avoided and minimised.</p> <p>The proposed amendment appears to have been drafted in the context that development would provide for a corridor rather than protecting an existing one. Provisions to protect and enhance the MLES values should be included.</p> <p><b>Request for change</b></p> <p>Please consider fit for purpose provisions in the purpose statement, Overall Outcomes (OOs) and Performance Outcomes (POs) of the Environmental Significance Code so that future development:</p> <ul style="list-style-type: none"> <li>avoids adverse impacts on the proposed MLES, or</li> </ul>	
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			<ul style="list-style-type: none"> <li>minimises adverse impacts where it is demonstrated that they cannot be reasonably avoided, or</li> <li>requires an offset for a significant residual impact on proposed MLES that remains following minimisation where permitted by the <i>Environmental Offsets Act 2014</i>.</li> </ul> <p>In particular:</p> <ol style="list-style-type: none"> <li>Include new assessment benchmark provisions for accepted development (subject to requirements). An example of a similar assessment benchmark provision is the below extract from <i>Logan Planning Scheme 2015</i> (Image 1)</li> </ol> <table border="1" data-bbox="1694 772 2249 1140"> <thead> <tr> <th data-bbox="1694 779 1982 810">Performance outcomes</th> <th data-bbox="1982 779 2249 810">Acceptable outcomes</th> </tr> </thead> <tbody> <tr> <td colspan="2" data-bbox="1694 821 2249 852"><b>For accepted development (subject to requirements) and assessable development</b></td> </tr> <tr> <td colspan="2" data-bbox="1694 856 2249 888"><b>Biodiversity corridors</b></td> </tr> <tr> <td data-bbox="1694 892 1982 1134"> <b>PO1</b>                      Development in a Biodiversity corridor identified on Biodiversity areas overlay map-OM-02.02 is designed and located to:                      (a) provide for habitat links;                      (b) facilitate safe wildlife movement;                      (c) facilitate wildlife refuge;                      (d) enhance habitat values;                      (e) rehabilitate degraded areas with native vegetation.   <small>Note--Compliance with this performance outcome is to be demonstrated by a detailed ecological assessment report prepared in accordance with Part 2 of planning scheme policy 3-Environmental management.</small> </td> <td data-bbox="1982 892 2249 1134"> <b>AO1</b>                      Development is located outside a Biodiversity corridor identified on Biodiversity areas overlay map-OM-02.02.                 </td> </tr> </tbody> </table> <p>Image 1 - Extract from <i>Logan Planning Scheme 2015</i> relating to Biodiversity corridor performance and acceptable outcomes</p> <ol style="list-style-type: none"> <li>Review and consider amending the current PO 13-17 and correlating Acceptable Outcomes (AO) (Image 2) to reflect the intent of proposed amendment. AO14.1 is of particular concern and might lead to the reduction in width of corridors over 100 metres.</li> </ol>	Performance outcomes	Acceptable outcomes	<b>For accepted development (subject to requirements) and assessable development</b>		<b>Biodiversity corridors</b>		<b>PO1</b> Development in a Biodiversity corridor identified on Biodiversity areas overlay map-OM-02.02 is designed and located to: (a) provide for habitat links; (b) facilitate safe wildlife movement; (c) facilitate wildlife refuge; (d) enhance habitat values; (e) rehabilitate degraded areas with native vegetation.  <small>Note--Compliance with this performance outcome is to be demonstrated by a detailed ecological assessment report prepared in accordance with Part 2 of planning scheme policy 3-Environmental management.</small>	<b>AO1</b> Development is located outside a Biodiversity corridor identified on Biodiversity areas overlay map-OM-02.02.	
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Consider including additional provisions that protect the proposed corridors from fragmentation and encroachment (Image 3) and require development to consider wildlife movement (Image 4).</p> <table border="1"> <tr> <td data-bbox="1694 926 2071 1125"><b>PO3</b> Development within the Hinterland to Coast Critical Corridors as identified on the Environmental significance - biodiversity areas overlay map is located and designed to: (a) provide corridors of sufficient dimensions and characteristics that will enable adequate movement of fauna through the site; (b) protect in situ matters of environmental significance and associated buffers; (c) protect in situ vegetation identified on the Environmental significance - vegetation management overlay map and habitat for native flora and fauna; (d) link matters of environmental significance, existing corridors and/or conservation estate/reserves on adjacent properties; (e) maintain and improve upon the regional connectivity of the Hinterland to Coast Critical Corridors; and (f) allow for the rehabilitation of disturbed, cleared or modified areas that form part of the Hinterland to Coast Critical Corridors.</td> <td data-bbox="2071 926 2208 1125"><b>AO3.1</b> No acceptable outcome provided.</td> </tr> </table> <p>Image 3 - Example of Biodiversity corridor PO &amp; AO from Gold Coast PS.</p> <table border="1"> <tr> <th colspan="2" data-bbox="1694 1241 2208 1272">For assessable development</th> </tr> <tr> <th colspan="2" data-bbox="1694 1272 2208 1293">Wildlife movement</th> </tr> <tr> <td data-bbox="1694 1293 1967 1566"><b>PO5</b> Development in a Biodiversity corridor or koala corridor identified on Biodiversity areas overlay map—OM-02.02 provides for the safe movement of native fauna by: (a) generating minimal additional night time traffic; (b) minimising the risk of injury or death to wildlife by vehicular traffic; (c) incorporating practices or measures to minimise disruption, injury or death during construction; (d) providing that a road or accessway has a low design speed; (e) providing fauna-friendly fencing.  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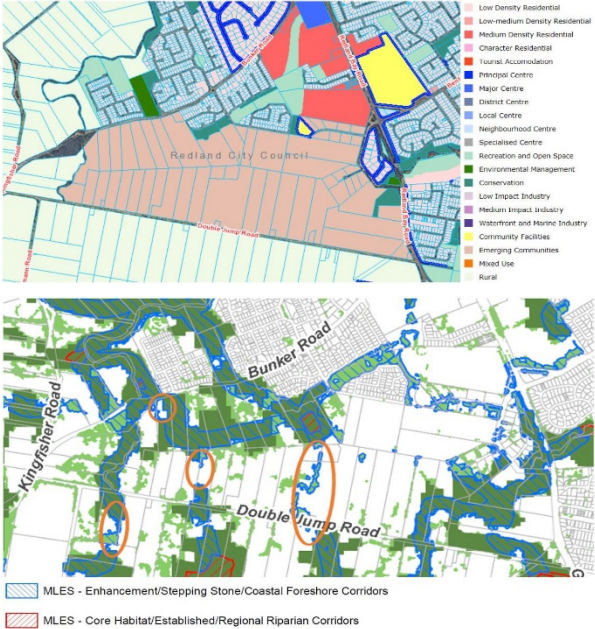




Page no(s)	Detail of change	State interests	State comment/s	Council response
		<p>SPP State Interest - Biodiversity</p> <ul style="list-style-type: none"> <li>(5) Viable koala populations in South East Queensland are protected by conserving and enhancing koala habitat extent and condition.</li> </ul>	<p>The area of Redland is entirely contained within a Priority Koala Assessable Development Area and subject to the provisions of Schedule 10, Part 10 and Schedule 11 of the Planning Regulation 2017 (Planning Regulation).</p> <p>It appears that the proposed changes to the level of assessment table have not considered Schedule 10 and Schedule 11 of the Planning Regulation where the current habitat mapping extends into Conservation, Open Space and Rural Zones.</p> <p><b>Request for further information</b></p> <p>Please confirm whether the changes to the level of assessment table have taken into consideration Schedule 10, Part 10 and Schedule 11 of the Planning Regulation.</p> <p><b>Request for change</b></p> <p>Please include a note in the level of assessment for Operational Work involving clearing of native vegetation to advise that development may be:</p> <ul style="list-style-type: none"> <li>Prohibited if in a bushland habitat area and located within specific zones in accordance with Schedule 10, Part 10 of the Planning Regulation, or</li> <li>Assessable against the applicable Assessment Benchmarks within Schedule 11 of the Planning Regulation if in a bushland habitat area and located within specific zones.</li> </ul>	

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<p>Schedule 2 Mapping, SC2.5 Overlay Mapping, Environmental Significant Overlay</p>	<p><b>Summary</b>                      Include MLES – Enhancement/Stepping Stone/Coastal Foreshore Corridors and MLES – Core Habitat/Established/Regional Riparian Corridors</p> <p><b>Proposed amendment</b>                      Schedule 2 Mapping, SC2.5 Environmental Significance Overlay (OM-007 and OM-008) – changes are highlighted in red and blue.</p> 	<p>SPP State Interest – Biodiversity</p> <ul style="list-style-type: none"> <li>(3) Matters of local environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised.</li> <li>(4) Ecological processes and connectivity is maintained or enhanced by avoiding fragmentation of matters of environmental significance.</li> </ul>	<p>There are a number of instances where the proposed MLES for Core Habitat and Coastal Fringe overlaps existing mapped MSES (Image 5).</p>  <p>Image 5 - Extract from proposed amendment</p> <p>However, the methodology used to map the proposed MLES values is unclear as to whether it has excluded similar existing MSES values. For instance, page 18 of the Wildlife Connections Plan states that patches of MLES for Core Habitat are based on interior areas of remnant vegetation.</p> <p><b>Request for further information</b>                      Please confirm that MLES values are not the same or substantially the same as MSES values.</p> <p><b>Request for change</b>                      Please remove any proposed MLES values that are the same or substantially the same as existing MSES values.</p>	

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			 <p>Image 7 - Areas zoned Emerging Communities within the Urban Footprint</p> <p>3. Improvements could be made to the mapping by considering:</p> <ul style="list-style-type: none"> <li>• “smoothing” irregular boundaries of corridors</li> <li>• removing areas of “cookie-cut” of the proposed MLES corridor (Image 8)</li> </ul>  <p>Image 8 - Extract of proposed ES Overlay map compared against current aerial imagery.</p> <ul style="list-style-type: none"> <li>• Extending the proposed MLES corridors to enhance connectivity (Image 9).</li> </ul>	

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			 <p>Image 9 - Extract of proposed corridors over existing areas of MLES compared with the zoning of the area</p> <p><b>Request for change</b> Please make appropriate changes in response to the requested further information above where relevant.</p>	
		<p>SPP State Interest – Development and Construction</p> <ul style="list-style-type: none"> <li>(7) State development areas and Priority Development Areas are: (a) identified and appropriately considered in terms of their planning intent</li> </ul>	<p>The proposed amendment includes additional areas of MLES within the boundaries of the Toondah Harbour Priority Development Area (PDA) and Weinman Creek PDA.</p> <p>Schedule 6 of the Planning Regulation 2017 prohibits local categorising instruments from stating development in a PDA is assessable development. By mapping these areas, it infers development will be regulated for MLES.</p> <p><b>Request for change</b> Remove all areas within a PDA for the proposed amendment.</p>	

**State interest assessment**  
**Environmental Major Amendment Package (04/2019)**

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<b>City Plan text changes</b>																
Part 5 Tables of Assessment, Section 5.9 Overlay, Table 5.9.1 Assessment Benchmarks for Overlays – Environmental significance overlay	<p><b>Summary</b></p> <p>Amend the level of assessment for Operational work involving clearing of native vegetation.</p> <p><b>Proposed amendment</b></p> <table border="1"> <thead> <tr> <th>Development</th> <th>Categories of development and assessment</th> <th>Assessment benchmarks for assessable development and requirements for accepted development</th> </tr> </thead> <tbody> <tr> <td>Operational work involving clearing of native vegetation If on land shown on the overlay map as:  <ul style="list-style-type: none"> <li>MLES – Core Habitat / Established / Regional Riparian Corridors, or</li> <li>MLES – Enhancement / Stepping Stone / Coastal Foreshore Corridors.</li> </ul> </td> <td>Accepted if - (1) clearing is in the urban area and the lot size is less than 1000m<sup>2</sup>, except in the emerging community, and recreation and open space zones.</td> <td>Environmental significance overlay code</td> </tr> <tr> <td>Operational work involving clearing of native vegetation If on land otherwise shown on the overlay map.  Note—Clearing for purposes mentioned in part 1 of Schedule 21 of the Regulation is not made assessable by this planning scheme. Essential management, as defined in the Regulation, is also not made assessable by this planning scheme.  Editor's note—"Urban area" is defined under the Regulation. Refer also to section 1.7.3 of this planning scheme.  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The proposed amendment only changes the level of assessment for Operational Work involving clearing of native vegetation. As such, there is a potential that some future land uses (i.e. dwelling houses, caretaker's accommodation, environmental facility) will avoid an assessment against the Environmental Significance Code allowing clearing would occur.</p> <p><b>Request for further information</b></p> <p>Please provide more information on the council's consideration to only amend the level of assessment for Operational Work involving clearing of native vegetation.</p> <p><b>Request for change</b></p> <p>Please consider an appropriate category of assessment for future development that has the potential to have an adverse impact on ecological connectivity that allows these impacts to be avoided and minimised.</p>	<p><b>Draft Council Officers' response</b></p> <p>Officers have previously considered elevating the level of assessment for a range of accepted uses where proposed to be located within a mapped corridor on the Environmental Significance overlay map.</p> <p>In summary, the conclusion of the analysis was that there was only limited benefit in increasing levels of assessment, with the greatest impact on the corridor area being from clearing.</p> <p>In most instances, the types of uses and developments that are likely to result in these kinds of potential impacts are already assessable development, in accordance with the relevant zone. This means that the development assessment process will consider these impacts (against the provisions of the ES overlay code) in assessing the development within these identified corridor areas.</p> <p>Importantly, the achievement of policy outcomes set out by the WCP will be achieved through a range of actions, many of which are non-scheme related such as working with land owners to protect and consolidate corridors and habitat on private land, the strategic acquisition of property in high priority areas and Council's own planting and habitat enhancement projects and programmes on public land.</p> <p>Recognising these circumstances the intent of the amendment is to simply ensure all proposed clearing of native vegetation within mapped core habitat and corridor areas as identified in the WCP is duly assessed and considered against the Environmental Significance overlay code.</p> <p><b>DSDMIP preliminary comments</b></p> <p>The department accepts the council's comments regarding the intention of scope of the proposed amendment and the relationship to the proposed levels of assessment in Part 5 Tables of Assessment, Section 5.9 Overlay, Table 5.9.1</p>
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Page no(s)	Detail of change	State interests	State comment/s	Council response
		<p>SPP State Interest - Biodiversity</p> <ul style="list-style-type: none"> <li>(5) Viable koala populations in South East Queensland are protected by conserving and enhancing koala habitat extent and condition.</li> </ul>	<p>The area of Redland is entirely contained within a Priority Koala Assessable Development Area and subject to the provisions of Schedule 10, Part 10 and Schedule 11 of the Planning Regulation 2017 (Planning Regulation).</p> <p>It appears that the proposed changes to the level of assessment table have not considered Schedule 10 and Schedule 11 of the Planning Regulation where the current habitat mapping extends into Conservation, Open Space and Rural Zones.</p> <p><b>Request for further information</b></p> <p>Please confirm whether the changes to the level of assessment table have taken into consideration Schedule 10, Part 10 and Schedule 11 of the Planning Regulation.</p> <p><b>Request for change</b></p> <p>Please include a note in the level of assessment for Operational Work involving clearing of native vegetation to advise that development may be:</p> <ul style="list-style-type: none"> <li>Prohibited if in a bushland habitat area and located within specific zones in accordance with Schedule 10, Part 10 of the Planning Regulation, or</li> <li>Assessable against the applicable Assessment Benchmarks within Schedule 11 of the Planning Regulation if in a bushland habitat area and located within specific zones.</li> </ul>	<p>Assessment Benchmarks for Overlays – Environmental significance overlay (noting further comments below with respect to the Rural Zone (in inside the Urban Footprint).</p> <p><b>Response to DSDMIP comment</b></p> <p>Noted. Response to further comments with respect to the Rural Zone (in inside the Urban Footprint) provided below.</p> <p><b>Draft Council Officers' response</b></p> <p>The proposed amendments do not alter the interaction between the Planning Regulation and the City Plan. The City Plan already sets a level of assessment for vegetation clearing, dependent on the relevant zone and area of proposed clearing.</p> <p>It is also important to note that the trigger for making vegetation clearing assessable is not related to the use. That is, even if a use is not made assessable development in the City Plan, operational works approval may still be required for the clearing of native vegetation (depending on the zone and area of clearing to be undertaken).</p> <p>The City Plan's tables of assessment Table 5.10.1 already includes an Editor's note that "Referral or approval under the Sustainable Planning Act 2009 and Water Act 2000 may also be required."</p> <p>Suggested change:</p> <p>The Editor's note be amended to: "Referral or approval under the Planning Act or Regulation 2017 and Water Act 2000 may also be required."</p> <p><b>DSDMIP preliminary comments</b></p> <p>DSDMIP accepts the proposed update to the tables of assessment Editor's note, subject to the following recommended wording:</p> <p>"Prohibition, referral or approval of proposed operational work under the <i>Planning Act 2016</i>, Planning Regulation 2017 and/or Water Act 2000 may apply."</p> <p><b>Response to DSDMIP comment</b></p> <p>Change made as per DSDMIP recommendation.</p>

			<p>The proposed amendment appears to have been drafted in the context that development would provide for a corridor rather than protecting an existing one. Provisions to protect and enhance the MLES values should be included.</p> <p><b>Request for change</b></p> <p>Please consider fit for purpose provisions in the purpose statement, Overall Outcomes (OOs) and Performance Outcomes (POs) of the Environmental Significance Code so that future development:</p> <ul style="list-style-type: none"> <li>• avoids adverse impacts on the proposed MLES, or</li> <li>• minimises adverse impacts where it is demonstrated that they cannot be reasonably avoided, or</li> <li>• requires an offset for a significant residual impact on proposed MLES that remains following minimisation where permitted by the <i>Environmental Offsets Act 2014</i>.</li> </ul> <p>In particular:</p> <ol style="list-style-type: none"> <li>1. Include new assessment benchmark provisions for accepted development (subject to requirements). An example of a similar assessment benchmark provision is the below extract from <i>Logan Planning Scheme 2015</i> (Image 1)</li> </ol> <table border="1" data-bbox="1694 1234 2249 1598"> <thead> <tr> <th>Performance outcomes</th> <th>Acceptable outcomes</th> </tr> </thead> <tbody> <tr> <td colspan="2"><b>For accepted development (subject to requirements) and assessable development</b></td> </tr> <tr> <td colspan="2"><b>Biodiversity corridors</b></td> </tr> <tr> <td> <b>PO1</b>            Development in a Biodiversity corridor identified on Biodiversity areas overlay map-OM-02.02 is designed and located to:           <ul style="list-style-type: none"> <li>(a) provide for habitat links;</li> <li>(b) facilitate safe wildlife movement;</li> <li>(c) facilitate wildlife refuge;</li> <li>(d) enhance habitat values;</li> <li>(e) rehabilitate degraded areas with native vegetation.</li> </ul> <small>Note—Compliance with this performance outcome to be demonstrated by a detailed ecological assessment report prepared in accordance with Part 2 of planning scheme policy 3—Environmental management.</small> </td> <td> <b>AO1</b>            Development is located outside a Biodiversity corridor identified on Biodiversity areas overlay map-OM-02.02.         </td> </tr> </tbody> </table> <p>Image 1 - Extract from <i>Logan Planning Scheme 2015</i> relating to Biodiversity corridor performance and acceptable outcomes</p> <ol style="list-style-type: none"> <li>2. Review and consider amending the current PO 13-17 and correlating Acceptable Outcomes (AO) (Image 2) to reflect the intent of proposed amendment. AO14.1 is of</li> </ol>	Performance outcomes	Acceptable outcomes	<b>For accepted development (subject to requirements) and assessable development</b>		<b>Biodiversity corridors</b>		<b>PO1</b> Development in a Biodiversity corridor identified on Biodiversity areas overlay map-OM-02.02 is designed and located to: <ul style="list-style-type: none"> <li>(a) provide for habitat links;</li> <li>(b) facilitate safe wildlife movement;</li> <li>(c) facilitate wildlife refuge;</li> <li>(d) enhance habitat values;</li> <li>(e) rehabilitate degraded areas with native vegetation.</li> </ul> <small>Note—Compliance with this performance outcome to be demonstrated by a detailed ecological assessment report prepared in accordance with Part 2 of planning scheme policy 3—Environmental management.</small>	<b>AO1</b> Development is located outside a Biodiversity corridor identified on Biodiversity areas overlay map-OM-02.02.	<p><b>Draft Council Officers' response</b></p> <p>The Environmental Significance Overlay code has been further reviewed and amended.</p> <p>Amendments have been made to the:</p> <ul style="list-style-type: none"> <li>• Purpose statement (overall outcomes) of the Code</li> <li>• PO4 and AO4 (requiring development to "avoid" areas of MLES – corridors)</li> <li>• AO14 – to ensure buffer distances are in accordance with WCP</li> </ul> <p>A copy of the revised Major Amendment – Environment including additional changes to the Environmental Significance Overlay code are included in Attachment 3</p> <p><b>DSDMIP preliminary comments</b></p> <p>The proposed amendments to the Environmental Significance (ES) Overlay Code have been reviewed individually below.</p> <p><b>Response to DSDMIP comment</b></p> <p>Individual comments noted. Amendments to the Environmental Significance Overlay code are provided in accordance with the draft response provided above.</p>
Performance outcomes	Acceptable outcomes											
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particular concern and might lead to the reduction in width of corridors over 100 metres.

Corridors and enhancement planting	
<b>PO13</b> Development contributes to the restoration of waterway or land based ecological corridors, where they would significantly enhance the health and resilience of habitat and wildlife on and near the site.	No acceptable outcome is nominated.
<b>PO14</b> Corridors have sufficient width to maintain viable wildlife or habitat linkages.	<b>AO14.1</b> Ecological corridors have a minimum width of 100m.
<b>PO15</b> Development incorporates opportunities for revegetation to enhance habitat condition, biodiversity and wildlife movement.	No acceptable outcome is nominated.
<b>PO16</b> Enhancement plantings and landscaping utilise endemic native species which replicate or complement the composition of the habitat it is connected to, unless this would increase bushfire risk.	No acceptable outcome is nominated. Editor's note—Guidance to assist applicants is contained within the Queensland Government's Regional Ecosystem Mapping
<b>PO17</b> Where clearing occurs, it is sequenced and undertaken in a manner that provides opportunities for fauna to vacate affected land.	No acceptable outcome is nominated. Editor's note—It is likely that a wildlife habitat management plan, prepared by an ecologist with suitable experience may be needed to address survival and ongoing access to habitat trees during construction and operation of the development.

Image 2 - Extract from the current Environmental Significance Overlay Code.

3. Consider including additional provisions that protect the proposed corridors from fragmentation and encroachment (Image 3) and require development to consider wildlife movement (Image 4).

<b>PO3</b> Development within the Hinterland to Coast Critical Corridors as identified on the Environmental significance – biodiversity areas overlay map is located and designed to: (a) provide corridors of sufficient dimensions and characteristics that will enable adequate movement of fauna through the site; (b) protect in situ matters of environmental significance and associated buffers; (c) protect in situ vegetation identified on the Environmental significance – vegetation management overlay map and habitat for native flora and fauna; (d) link matters of environmental significance, existing corridors and/or conservation estate/reserves on adjacent properties; (e) maintain and improve upon the regional connectivity of the Hinterland to Coast Critical Corridors; and (f) allow for the rehabilitation of disturbed, cleared or modified areas that form part of the Hinterland to Coast Critical Corridors.	<b>AO3.1</b> No acceptable outcome provided.
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Image 3 - Example of Biodiversity corridor PO & AO from Gold Coast PS.


For assessable development	
Wildlife movement	
<b>PO5</b> Development in a Biodiversity corridor or koala corridor identified on Biodiversity areas overlay map-OM-02.02 provides for the safe movement of native fauna by: (a) generating minimal additional night time traffic; (b) minimising the risk of injury or death to wildlife by vehicular traffic; (c) incorporating practices or measures to minimise disruption, injury or death during construction; (d) providing that a road or accessway has a low design speed; (e) providing fauna-friendly fencing. Note—Compliance with the performance outcome is to be demonstrated by a detailed ecological assessment report prepared in accordance with Part 2 of the planning scheme policy 3—Environmental management.	<b>AO5</b> Development in a Biodiversity corridor or koala corridor identified on Biodiversity areas overlay map-OM-02.02 provides for the safe movement of native fauna through the implementation of: (a) the Queensland Government Fauna Sensitive Road Design Manual Volume 2: Preferred Practices; (b) the Queensland Government Koala-sensitive Design Guideline.

Image 4 - Example of Biodiversity corridor PO & AO from Logan PS.

Page no(s)	Detail of change	State interests	State comment/s	Council response
<b>City Plan mapping changes</b>				
Section 8.2.4 Environmental Significance Overlay Code	<p><b>8.2.4.2 Purpose</b></p> <p>(1) The purpose of the environmental significance overlay code is to manage development to avoid or minimise and mitigate significant impacts on matters of national, state and local environmental significance.</p> <p>(2) The purpose of the code will be achieved through the following overall outcomes:</p> <p>(a) areas of high biodiversity or ecological significance (including Core Habitat, regional riparian and established corridors) are retained and protected;</p> <p>(b) development maximises the retention of native vegetation and significant habitat features;</p> <p>(c) development minimises the loss of koala habitat;</p> <p>(d) impacts on matters of state or local ecological significance are minimised and mitigated;</p> <p>(e) development does not cause substantial fragmentation of habitat areas;</p> <p>(f) opportunities for safe and viable wildlife movement within and between habitat areas are facilitated;</p> <p>(g) impacts on matters of State or local environmental significance are minimised and mitigated;</p> <p>(h) landscaping and planting is undertaken in a manner that contributes to the ecological values of the site; and</p> <p>(i) where they occur, significant residual impacts on matters of local environmental significance or another prescribed environmental matter in accordance with section 15(4) of the <i>Environmental Offsets Act 2014</i>, may need to be offset.</p>	<p>SPP State Interest – Biodiversity</p> <ul style="list-style-type: none"> <li>(3) Matters of local environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised.</li> <li>(4) Ecological processes and connectivity is maintained or enhanced by avoiding fragmentation of matters of environmental significance.</li> </ul> <p>In addition, with respect to the new proposed changes to the ES Overlay Code, DSDMIP highlights the 'The guiding principles' as contained in Part C of the SPP.</p>	<p>A review of the proposed Overlay Maps (OM) 007 and 008 indicates two main categories and six (potential) sub-categories of environmentally significant areas, as follows:</p> <ol style="list-style-type: none"> <li>MLES (Blue layer) <ol style="list-style-type: none"> <li>Enhancement</li> <li>Stepping Stone</li> <li>Coastal Foreshore</li> </ol> </li> <li>MLES (Red) <ol style="list-style-type: none"> <li>Core Habitat</li> <li>Established</li> <li>Regional Riparian Corridor</li> </ol> </li> </ol> <p>In reviewing the functionality of the OMs when using the Proposed Amendment –8.2.4 Environmental Significance Overlay Code, it appears the detail included in the Wildlife Connections Plan, being the different categories of wildlife corridors, has not been completely transferred to the proposed statutory documents.</p> <p>In particular, the intent of each category and/or potential sub-categories are not articulated in Purpose and Overall outcomes the proposed overlay code.</p> <p><b>Request for change</b></p> <p>It is suggested the functionality of the code relating to proposed mapping changes would be improved by:</p> <ol style="list-style-type: none"> <li>identifying MLES (Red) as a 'Primary Environmental Corridor' and MLES (Blue) as a 'Secondary Environmental Corridor'</li> <li>identifying the three potential sub-categories under the Primary and Secondary Environmental Corridors.</li> <li>detailing the intent of each category in the Purpose and Overall outcomes the proposed ES overlay code.</li> </ol> <p>Identifying the sub-categories may require mapping changes to OM-007 and OM-008.</p> <p>Further to the above, the council is encouraged to review the terminology used in the Purpose of the ES Overlay Code (Core Habitat, Regional Riparian Corridors, etc.) to ensure alignment with the terminology used in Section 3.5- Theme:</p>	<p><b>Response to DSDMIP comment</b></p> <p>Recommended changes to the Environmental Significance overlay maps are not being proposed. It was decided to group the corridor categories as shown on the maps provided to DSDMIP to limit visual clutter and improve usability. Amending the maps as DSDMIP have suggested would result in a complex multi-layered overlay map. In addition, if adopted, the amended overlay would be accessible on Council's online Red-E-Map, where users can also view the WCP mapping to determine which corridor category is applicable to their property, so the benefit of DSDMIPs proposed changes is nominal.</p>

Page no(s)	Detail of change	State interests	State comment/s	Council response		
			<p>environment and heritage of the Strategic framework.</p> <p>In addition, the council is encouraged to ensure alignment between the 'Major ecological corridors (Mainland only) corridors shown on SFM-001: Strategic framework maps and the 'MLES - Core Habitat/Established/Regional Riparian Corridors' shown on OM-007.</p>			
	<table border="1"> <tr> <td data-bbox="400 573 765 800"> <p><b>PO4</b> Connections between habitat areas, particularly <b>Regional Riparian and Established wildlife habitat corridors</b>, are retained so that movement of key species and normal gene flow between populations is not inhibited or made less safe. Connections may include both continuous corridors and "stepping stone" patches and refuges.</p> </td> <td data-bbox="765 573 1130 800"> <p><b>No acceptable outcome is nominated.</b> <b>AO4</b> Development occurs outside of mapped <b>Regional Riparian and Established wildlife habitat corridors</b>.</p> </td> </tr> </table>	<p><b>PO4</b> Connections between habitat areas, particularly <b>Regional Riparian and Established wildlife habitat corridors</b>, are retained so that movement of key species and normal gene flow between populations is not inhibited or made less safe. Connections may include both continuous corridors and "stepping stone" patches and refuges.</p>	<p><b>No acceptable outcome is nominated.</b> <b>AO4</b> Development occurs outside of mapped <b>Regional Riparian and Established wildlife habitat corridors</b>.</p>	<p>SPP State Interest – Biodiversity</p> <ul style="list-style-type: none"> <li>(3) Matters of local environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised.</li> <li>(4) Ecological processes and connectivity is maintained or enhanced by avoiding fragmentation of matters of environmental significance.</li> </ul> <p>In addition, with respect to the new proposed changes to the ES Overlay Code, DSDMIP highlights the 'The guiding principles' as contained in Part C of the SPP.</p>	<p>The proposed amendments to PO4 and AO4 is generally supported. It is noted Environmental Significance Overlay Maps OM-007 and OM-008 are not referenced in the PO or AO, nor are all the MLES categories included.</p> <p>As AO4 is currently drafted, it only applies to 'Regional Riparian and Established wildlife habitat corridors', meaning development could occur in any of the other mapped areas.</p> <p><b>Request for change</b></p> <p>It is recommended additional AOs be added to describe the intended quantitative outcomes for all categories of mapped MLES on OM-007, noting this includes:</p> <ol style="list-style-type: none"> <li>MLES (Blue layer) <ul style="list-style-type: none"> <li>Enhancement</li> <li>Stepping Stone</li> <li>Coastal Foreshore</li> </ul> </li> <li>MLES (Red) <ul style="list-style-type: none"> <li>Core Habitat</li> <li>Established</li> <li>Regional Riparian Corridor</li> </ul> </li> </ol> <p>PO 4 is recommended to appropriately and clearly describe the intended qualitative performance outcomes for both 'Blue' and 'Red' categories of MLES and/or relevant sub-categories.</p> <p>In addition to comments about the proposed amendment to PO4, the council is encouraged to review other performance outcomes and/or acceptable outcome that may be affected by the proposed amendments. For example, as PO3 references 'core habitat' is currently drafted, it may be interpreted to only apply with the MLES (Red) - Core Habitat category.</p>	
<p><b>PO4</b> Connections between habitat areas, particularly <b>Regional Riparian and Established wildlife habitat corridors</b>, are retained so that movement of key species and normal gene flow between populations is not inhibited or made less safe. Connections may include both continuous corridors and "stepping stone" patches and refuges.</p>	<p><b>No acceptable outcome is nominated.</b> <b>AO4</b> Development occurs outside of mapped <b>Regional Riparian and Established wildlife habitat corridors</b>.</p>					




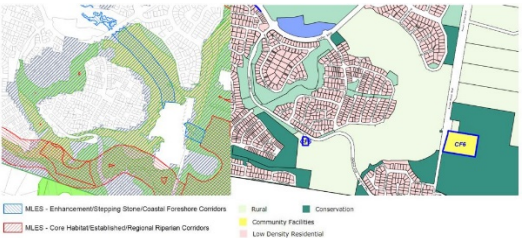
Page no(s)	Detail of change	State interests	State comment/s	Council response															
	<p>PO14 Corridors have sufficient width to maintain viable wildlife or habitat linkages.</p> <p>AO14.1 Ecological corridors have a minimum width of 100m. Development achieves the Core Habitat and wildlife habitat corridor width and buffer, as set out in Table 8.2.4.3.2</p> <p><b>Table 8.2.4.3.2: Wildlife habitat network width and buffer requirements</b></p> <table border="1" data-bbox="409 512 1142 646"> <thead> <tr> <th>Category</th> <th>Width requirement</th> <th>Buffer requirement</th> </tr> </thead> <tbody> <tr> <td>Core habitat area</td> <td>NA</td> <td>60m</td> </tr> <tr> <td>Regional Riparian</td> <td>400m</td> <td>50m or greater</td> </tr> <tr> <td>Established</td> <td>100m</td> <td>50m or greater</td> </tr> <tr> <td>Coastal Foreshore, Enhancement and Stepping Stone</td> <td>100m</td> <td>Up to 50m</td> </tr> </tbody> </table>	Category	Width requirement	Buffer requirement	Core habitat area	NA	60m	Regional Riparian	400m	50m or greater	Established	100m	50m or greater	Coastal Foreshore, Enhancement and Stepping Stone	100m	Up to 50m	<p>SPP State Interest – Biodiversity</p> <ul style="list-style-type: none"> <li>(3) Matters of local environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised.</li> <li>(4) Ecological processes and connectivity is maintained or enhanced by avoiding fragmentation of matters of environmental significance.</li> </ul> <p>In addition, with respect to the new proposed changes to the ES Overlay Code, DSDMIP highlights the 'The guiding principles' as contained in Part C of the SPP.</p>	<p>Further to prior comments, the mapping designation for sub-categories Core habitat area, Regional riparian and Established are not separately mapped on OM-007 and 008.</p> <p>Because of this, it appears not possible for a user of the ES Overlay Code and OM-007 and 008 to determine if premises are subject to the various sub-categories, affecting the function of proposed AO14.1 and Table 8.2.4.3.2 to provide minimum corridor and buffer widths.</p> <p>AO14.1 should also be drafted to refer to each 'Category' in Table 8.2.4.3.2.</p> <p><b>Request for change</b></p> <p>Please amend AO14.1 and Table 8.2.4.3.2 to include all proposed sub-categories to include all proposed corridor widths and buffer requirements.</p>	<p><b>Response to DSDMIP comment</b> AO14.1 and Table 8.2.4.3.2 have been amended.</p>
Category	Width requirement	Buffer requirement																	
Core habitat area	NA	60m																	
Regional Riparian	400m	50m or greater																	
Established	100m	50m or greater																	
Coastal Foreshore, Enhancement and Stepping Stone	100m	Up to 50m																	
<p>Schedule 2 Mapping, SC2.5 Overlay Mapping, Environmental Significant Overlay</p>	<p><b>Summary</b> Include MLES – Enhancement/Stepping Stone/Coastal Foreshore Corridors and MLES – Core Habitat/Established/Regional Riparian Corridors</p> <p><b>Proposed amendment</b> Schedule 2 Mapping, SC2.5 Environmental Significance Overlay (OM-007 and OM-008) – changes are highlighted in red and blue.</p>	<p>SPP State Interest – Biodiversity</p> <ul style="list-style-type: none"> <li>(3) Matters of local environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised.</li> <li>(4) Ecological processes and connectivity is maintained or enhanced by avoiding fragmentation of matters of environmental significance.</li> </ul>	<p>There are a number of instances where the proposed MLES for Core Habitat and Coastal Fringe overlaps existing mapped MSES (Image 5).</p>  <p>Image 5 - Extract from proposed amendment</p> <p>However, the methodology used to map the proposed MLES values is unclear as to whether it has excluded similar existing MSES values. For instance, page 18 of the Wildlife Connections Plan states that patches of MLES for Core Habitat are based on interior areas of remnant vegetation.</p>	<p><b>Draft Council Officers' response</b></p> <p>The State has previously confirmed that MLES and MSES may occupy the same physical area, as long as the matter was not the same or substantially the same. The identification of connections through the Wildlife Connections Plan used a number of data inputs, of which remnant vegetation was one. However, the value that is mapped, is either the core habitat that the vegetation provides or the connection that vegetation provides from one core area to another.</p> <p>Recognising these facts Council is satisfied that the proposed MLES values (core habitat and corridor) are not the same or substantially the same as MSES values and therefore no further changes to the mapping are required.</p> <p><b>DSDMIP preliminary comments</b></p> <p>DSDMIP is satisfied that the mapped MLES corridors are protecting values that are substantially different to MSES values.</p> <p>However, it is recommended that the council include definitions of MLES and MSES in the planning scheme to ensure users can clearly understand the different natural values when applying offsets under the environmental offsets framework.</p>															





Page no(s)	Detail of change	State interests	State comment/s	Council response
			<p>have only be identified where the proposed corridor intersects with the current Environmental Significance Overlay Map. The council could improve the connectivity in the undeveloped areas within the Urban Footprint within the Emerging Communities and Rural Zone by providing contiguous corridors regardless of whether they currently intersect the Environmental Significance Overlay (Images 6 and 7).</p> <p>Image 6 - Areas zoned Rural within the Urban Footprint</p> <p>Image 7 - Areas zoned Emerging Communities within the Urban Footprint</p> <p>3. Improvements could be made to the mapping by considering:</p> <ul style="list-style-type: none"> <li>• “smoothing” irregular boundaries of corridors</li> <li>• removing areas of “cookie-cut” of the proposed MLES corridor (Image 8)</li> </ul>	<p>have a clearing threshold of up to 2500m2 as accepted subject to requirements. This level of clearing on generally smaller sized rural lots in the urban footprint may be undesirable in terms of delivering the outcomes of the Environmental Significance Overlay Code within the urban footprint of the city. This potential anomaly could simply be addressed by including ‘the rural zone’ if within the SEQ Regional Plan’s urban footprint in the definition of “urban area” in part 1.7.3 ‘Terms’ of City Plan. This would mean in effect that clearing thresholds in these areas would be reduced to 500m2 which is generally consistent with clearing thresholds for other zones in the urban area of the City.</p> <p><b>DSDMIP preliminary comments</b></p> <p>DSDMIP does not support the proposed inclusion of Rural zoned areas – that are also within the SEQ Regional Plan urban footprint – under the definition of what is an <i>urban area</i> within the city plan.</p> <p>The proposed change could make it problematic for the interpretation and application of the ‘urban area, urban purpose’ clearing exemption under Schedule 21 of the Planning Regulation 2017 (the Regulation).</p> <p>DSDMIP suggests that Council could achieve the intended outcome by amending the Tables of Assessment for the Environmental Significance Overlay to add a development category for clearing in Rural zoned areas that are also within the SEQ Regional Plan urban footprint.</p> <p>This would ensure that there is no confusion with what is an urban area in the city plan and the definitions of urban area and urban purpose in the Regulation.</p> <p>DSDMIP agrees with all other comments made in the Council response.</p> <p>Irrespective, DSDMIP notes the recent minor amendment (07/2019) which has changed the land in the Rural Zone (i.e. Image 6) that is located in the urban footprint to the Emerging Communities Zone.</p> <p><b>Response to DSDMIP comment</b></p> <p>Tables of Assessment have been amended as recommended.</p>



Page no(s)	Detail of change	State interests	State comment/s	Council response
			 <p data-bbox="1748 573 2226 632">Image 8 - Extract of proposed ES Overlay map compared against current aerial imagery.</p> <ul data-bbox="1706 642 2226 701" style="list-style-type: none"> <li>• Extending the proposed MLES corridors to enhance connectivity (Image 9).</li> </ul>  <p data-bbox="1748 1157 2196 1245">Image 9 - Extract of proposed corridors over existing areas of MSES compared with the zoning of the area</p> <p data-bbox="1688 1289 1929 1318"><b>Request for change</b></p> <p data-bbox="1688 1331 2237 1423">Please make appropriate changes in response to the requested further information above where relevant.</p>	

Page no(s)	Detail of change	State interests	State comment/s	Council response
		<p>SPP State Interest – Development and Construction</p> <ul style="list-style-type: none"> <li>(7) State development areas and Priority Development Areas are: (a) identified and appropriately considered in terms of their planning intent</li> </ul>	<p>The proposed amendment includes additional areas of MLES within the boundaries of the Toondah Harbour Priority Development Area (PDA) and Weinman Creek PDA.</p> <p>Schedule 6 of the Planning Regulation 2017 prohibits local categorising instruments from stating development in a PDA is assessable development. By mapping these areas, it infers development will be regulated for MLES.</p> <p><b>Request for change</b> Remove all areas within a PDA for the proposed amendment.</p>	<p><b>Draft Council Officers' response</b></p> <p>Agreed. Change to be made removing all areas within the Toondah and Weinam PDAs from the proposed amendment.</p> <p><b>DSDMIP preliminary comments</b></p> <p>Noted.</p> <p><b>Response to DSDMIP comment</b> Amended overlay maps are provided, with PDA removed.</p>

# Attachment 3: Proposed Major Amendments to the Redland City Plan (Amended September 2019)

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## Introduction

The following document details the proposed changes to the current version of the Redland City Plan – Version 3.0 (City Plan). These changes are referred to as the Environmental Major Amendment Package 04/19.

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 V3.

## 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: TABLE 5.9.1 ASSESSMENT BENCHMARKS FOR OVERLAYS- ENVIRONMENTAL SIGNIFICANCE OVERLAY

## Proposed City Plan Amendments

The proposed amendments to the Planning Scheme are as follows:

**Table 5.9.1 - Assessment benchmarks for overlays**

Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
<b>Environmental significance overlay</b>		
Any material change of use	No change to categories of development and assessment	Environmental significance 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	Environmental significance overlay code where the development is assessable under the table of assessment for reconfiguration of a lot
Operational work involving clearing of native vegetation  If on land shown on the overlay map as: <ul style="list-style-type: none"> <li>• MLES – Core Habitat / Established / Regional Riparian Corridors; or MLES – Enhancement</li> <li>• / Stepping Stone / Coastal Foreshore Corridors.</li> </ul>	Accepted if –  (1) clearing is in the urban area and the lot size is less than 1000m <sup>2</sup> , except in the emerging community, and recreation and open space zones.  Code assessment if not accepted.  Editor’s note—“Urban area” is defined under the Regulation. Refer also to section 1.7.3 of this planning scheme.	Environmental significance overlay code



Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
<p>Operational work involving clearing of native vegetation</p> <p>If on land otherwise shown on the overlay map.</p> <p>Note—Clearing for purposes mentioned in part 1 of Schedule 21 of the Regulation is not made assessable by this planning scheme. Essential management, as defined in the Regulation, is also not made assessable by this planning scheme.</p>	<p>Accepted subject to requirements if clearing is within:</p> <p>(1) the rural zone (if outside the urban area) on land that contains a dwelling house and the combined area of the proposed clearing and any clearing previously undertaken since commencement of the first version of this planning scheme exceeds 500m<sup>2</sup> and does not exceed 2500m<sup>2</sup>.</p>	<p>Environmental significance overlay code</p>
<p>Editor's note—"Urban area" is defined under the Regulation. Refer also to section 1.7.3 of this planning scheme.</p> <p>Editor's note— Prohibition, referral or approval under the Sustainable Planning Act 2009, Planning Act 2016, Planning Regulation 2017, and/or Water Act 2000 may also be required.</p>	<p>Code assessable, if not accepted or accepted subject to requirements, if clearing within:</p> <p>(2) the emerging community, environmental management, low-medium density residential, medium density residential, tourist accommodation zones or rural zone (if inside the urban area); or</p> <p>(3) within the conservation and recreation and open space zones, other than clearing undertaken by Redland City Council or on Council land and in accordance</p>	<p>Environmental significance overlay code</p>

Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	with a Council resolution; or	
	<p>(3) any other zone within the urban area and the combined area of the proposed clearing and any clearing previously undertaken since the commencement of the first version of this planning scheme exceeds 500m<sup>2</sup>; or</p> <p>(4) within the community facilities zone (if outside the urban area) and the combined area of the proposed clearing and any clearing previously undertaken since the commencement of the first version of this planning scheme exceeds 2,500m<sup>2</sup>; or</p> <p>(5) within the rural zone (if outside the urban footprint) and the combined area of the proposed clearing and any clearing previously undertaken since the commencement of the first version of this planning scheme exceeds 2,500m<sup>2</sup>, or</p> <p>(6) within the rural zone (if inside the urban footprint) and the</p>	

Development	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
	combined area of the proposed clearing and any clearing previously undertaken since the commencement of the first version of this planning scheme exceeds 500m <sup>2</sup>	
Any other operational work	No change to categories of development and assessment	Environmental significance overlay code where the development is assessable under the table of assessment for operational work

## ITEM 2 8.2.4 ENVIRONMENTAL SIGNIFICANCE OVERLAY CODE

### Proposed City Plan Amendments

Part 8 Overlay codes: The proposed amendments to the Planning Scheme are as follows:

#### 8.2.4 Environmental significance overlay code

##### 8.2.4.1 Application

This code applies to development:

- (1) within the environmental significance overlay as identified on the overlay maps contained within Schedule 2 (mapping); and
- (2) identified as requiring assessment against the environmental significance overlay code by the tables of assessment in Part 5 (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.

##### 8.2.4.2 Purpose

- (1) The purpose of the environmental significance overlay code is to manage development to avoid or minimise and mitigate significant impacts on matters of national, state and local environmental significance.
- (2) The purpose of the code will be achieved through the following overall outcomes:
  - (a) areas of high biodiversity or ecological significance (including Core Habitat, regional riparian and established corridors) are retained and protected;
  - (b) development maximises the retention of native vegetation and significant habitat features;
  - (c) development minimises the loss of koala habitat;
  - (d) impacts on matters of state or local ecological significance are minimised and mitigated;
  - (e) development does not cause substantial fragmentation of habitat areas;
  - (f) opportunities for safe and viable wildlife movement within and between habitat areas are facilitated;
  - (g) impacts on matters of State or local environmental significance are minimised and mitigated;
  - (h) landscaping and planting is undertaken in a manner that contributes to the ecological values of the site; and
  - (i) where they occur, significant residual impacts on matters of local environmental significance or another prescribed environmental matter in accordance with section 15(4) of the *Environmental Offsets Act 2014*, may need to be offset.

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 environmental significance are established by the Commonwealth and Queensland governments. Additional approvals or referrals may be required as a consequence. Any environmental offset for a matter of state or local environmental significance must be consistent with the Queensland Government's *Environmental Offsets Act 2014*.

**Environmental significance overlay code – Specific benchmarks for assessment**

**Table 8.2.4.3.1—Benchmarks for development that is accepted subject to requirements and assessable development**

Editor's note—Applicants should have regard to Planning Scheme Policy 1 – Environmental significance for guidance in demonstrating compliance with the performance outcomes in this code.

<b>Performance Outcomes</b>	<b>Acceptable Outcomes</b>
<b>For development that is accepted subject to requirements</b>	
<p><b>PO1</b> Development does not result in a significant reduction in the level or condition of biodiversity and ecological functions and processes in the locality.</p> <p>Editor's note— See Planning Scheme Policy 1 – Environmental significance for advice on achieving compliance with this outcome.</p>	<p><b>AO1.1</b> Compensatory planting is undertaken on-site that is equal in area to the area of the vegetation cleared.</p>
<b>For assessable development</b>	
<b>Values to be protected</b>	
<p><b>PO2</b> Development does not result in a significant reduction in the level or condition of biodiversity and ecological functions and processes in the locality.</p>	No acceptable outcome is nominated.
<p><b>PO3</b> Development does not cause—substantial fragmentation of <u>core</u> habitat.</p>	No acceptable outcome is nominated.
<p><b>PO4</b> Connections between habitat areas, particularly <u>Regional Riparian and Established wildlife habitat corridors</u>, are retained so that movement of key species and normal gene flow between populations is not inhibited or made less safe. Connections may include both continuous corridors and “stepping stone” patches and refuges.</p>	<p><del>No acceptable outcome is nominated.</del> <b>AO4</b> Development occurs outside of mapped <u>Regional Riparian and Established wildlife habitat corridors</u>.</p>
<b>Minimising and mitigating impacts</b>	
<p><b>PO5</b> Edge effects on retained habitat areas are minimised by providing the smallest possible perimeter to area ratio.</p>	No acceptable outcome is nominated.
<p><b>PO6</b></p>	No acceptable outcome is nominated.

Performance Outcomes	Acceptable Outcomes
The design, scale and intensity of development minimises impacts on retained habitat mapped matters of environmental significance.	
<p><b>PO7</b> Retained-habitat-is protected to ensure its on-going health and resilience, and to avoid degradation as a result of edge effects.</p>	No acceptable outcome is nominated.
<p><b>PO8</b> Barriers restricting the movement and dispersal of wildlife are removed, except where they are necessary for the safety of people or animals.</p>	<p>No acceptable outcome is nominated. Editor's note—Guidance on fencing design, fauna movement structure and the like is provided in Planning Scheme Policy 1 – Environmental significance.</p>
<p><b>PO9</b> Development does not result in the introduction of pest species (plant or animal), that pose a risk to ecological integrity or disturbance to native fauna.</p>	<p>No acceptable outcome is nominated. Editor's note—Weed species are identified in Council's Pest Management Plan 2012 – 2016, Part B.</p>
<p><b>PO10</b> Development minimises alterations to natural landforms, flow regimes, groundwater recharge and surface water drainage patterns.</p>	No acceptable outcome is nominated.
<p><b>PO11</b> Development minimises potential for disturbance of wildlife as a result of noise, light, vibration or other source.</p>	No acceptable outcome is nominated.
<p><b>PO12</b> Roads and public access within and adjacent to areas of ecological significance are located and designed to avoid disturbance of ecological values or danger to wildlife.</p>	No acceptable outcome is nominated.
<b>Corridors and-enhancement planting</b>	
<p><b>PO13</b> Development contributes to the restoration of waterway or land based ecological corridors, where they would significantly enhance the health and resilience of habitat and wildlife on and near the site.</p>	No acceptable outcome is nominated.

Performance Outcomes	Acceptable Outcomes
<p><b>PO14</b> Corridors have sufficient width to maintain viable wildlife or habitat linkages.</p>	<p><b>AO14.1</b> Ecological corridors have a minimum width of 400m. Development achieves the Core Habitat and wildlife habitat corridor width and buffer, as set out in Table 8.2.4.3.2</p>
<p><b>PO15</b> Development incorporates opportunities for revegetation to enhance habitat condition, biodiversity and wildlife movement.</p>	<p>No acceptable outcome is nominated.</p>
<p><b>PO16</b> Enhancement plantings and landscaping utilise endemic-native species-which replicate or complement the composition of the habitat it is connected to, to protect and enhance links and connectivity, to provide functional connectivity for flora and fauna species, and dispersal, unless this would increase bushfire risk.</p>	<p>No acceptable outcome is nominated. Editors note—Guidance to assist applicants is contained within the Queensland Government’s Regional Ecosystem Mapping</p>
<p><b>PO17</b> Where clearing occurs, it is sequenced and undertaken in a manner that provides opportunities for fauna to vacate affected land.</p>	<p>No acceptable outcome is nominated. Editor’s note—It is likely that a wildlife habitat management plan, prepared by an ecologist with suitable experience may be needed to address survival and ongoing access to habitat trees during construction and operation of the development.</p>
<b>Offsets</b>	
<p><b>PO18</b> Where development results in, or is likely to result in, a significant residual impact on matters of local environmental significance, despite all reasonable on-site mitigation measures, the impact will be offset.</p>	<p><b>AO18.1</b> Offsets are provided in accordance with offset arrangements set out in Planning Scheme Policy 1 – Environmental significance.</p>

**Table 8.2.4.3.2: Wildlife habitat network width and buffer requirements**

Category	Width requirement	Buffer requirement
Core habitat area	NA	60m
Regional Riparian	400m	50m or greater
Established,	100m	50m or greater
Coastal Foreshore, Enhancement and Stepping Stone	100m	Up to 50m



## ITEM 3: SCHEDULE 1 DEFINITIONS

### Proposed City Plan Amendment

The proposed amendments to the Planning Scheme are as follows:

#### Schedule 1

##### 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 SC1.2.1 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.

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’.

**Table SC1.2.1—Additional administrative terms and their definitions**

<b>Column 1 Administrative Term</b>	<b>Column 2 Definition</b>
<b>Defined flood event</b>	The 1% annual exceedance probability (AEP) flood event.
<b>Defined storm tide event</b>	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.
<b>Low-rise</b>	One to two storeys.
<b>Matters of Local Environmental Significance (MLES)</b>	As defined in the <i>State Planning Policy</i> .
<b>Matters of State Environmental Significance (MSES)</b>	As defined in the <i>State Planning Policy</i> .
<b>Mid-rise</b>	Three to six storeys.
<b>Rear lot</b>	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.

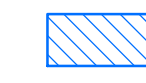
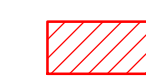



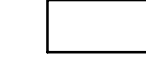


# ENVIRONMENTAL SIGNIFICANCE OVERLAY

Amendment Version

Overlay Map - OM-007

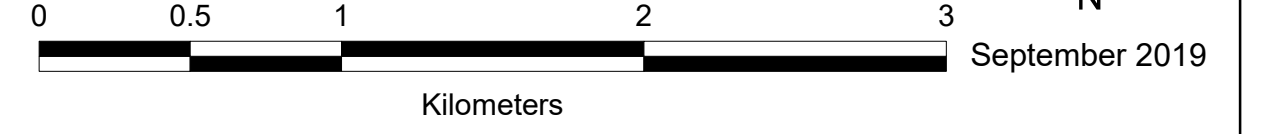
Sheet 1/2

-  MLES - Enhancement/Stepping Stone/Coastal Foreshore Corridors
-  MLES - Core Habitat/Established/Regional Riparian Corridors
-  MLES - Other
-  MSES
-  Cadastral Properties
-  Outline of RCC



Produced by  
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Redland City Council

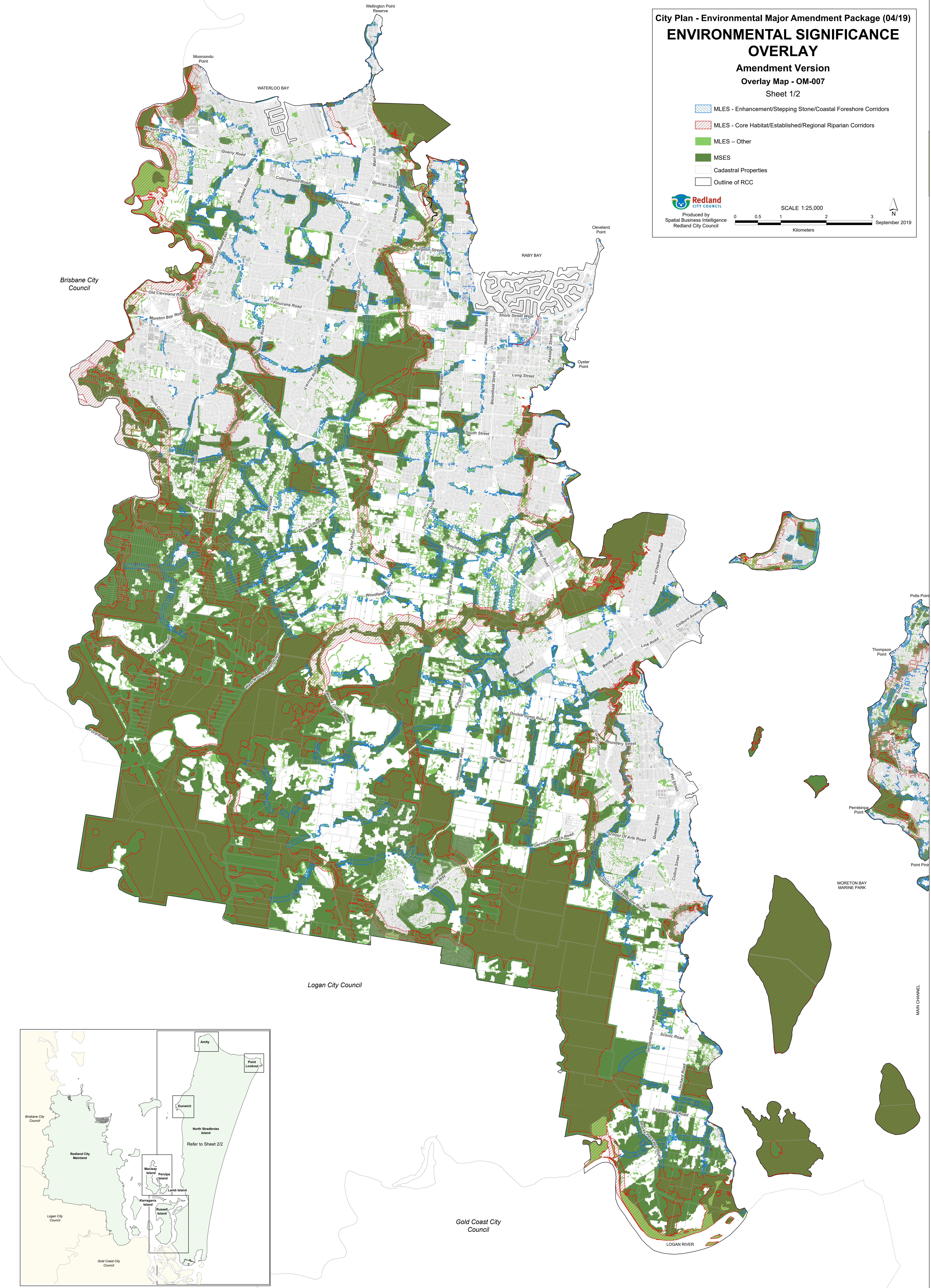
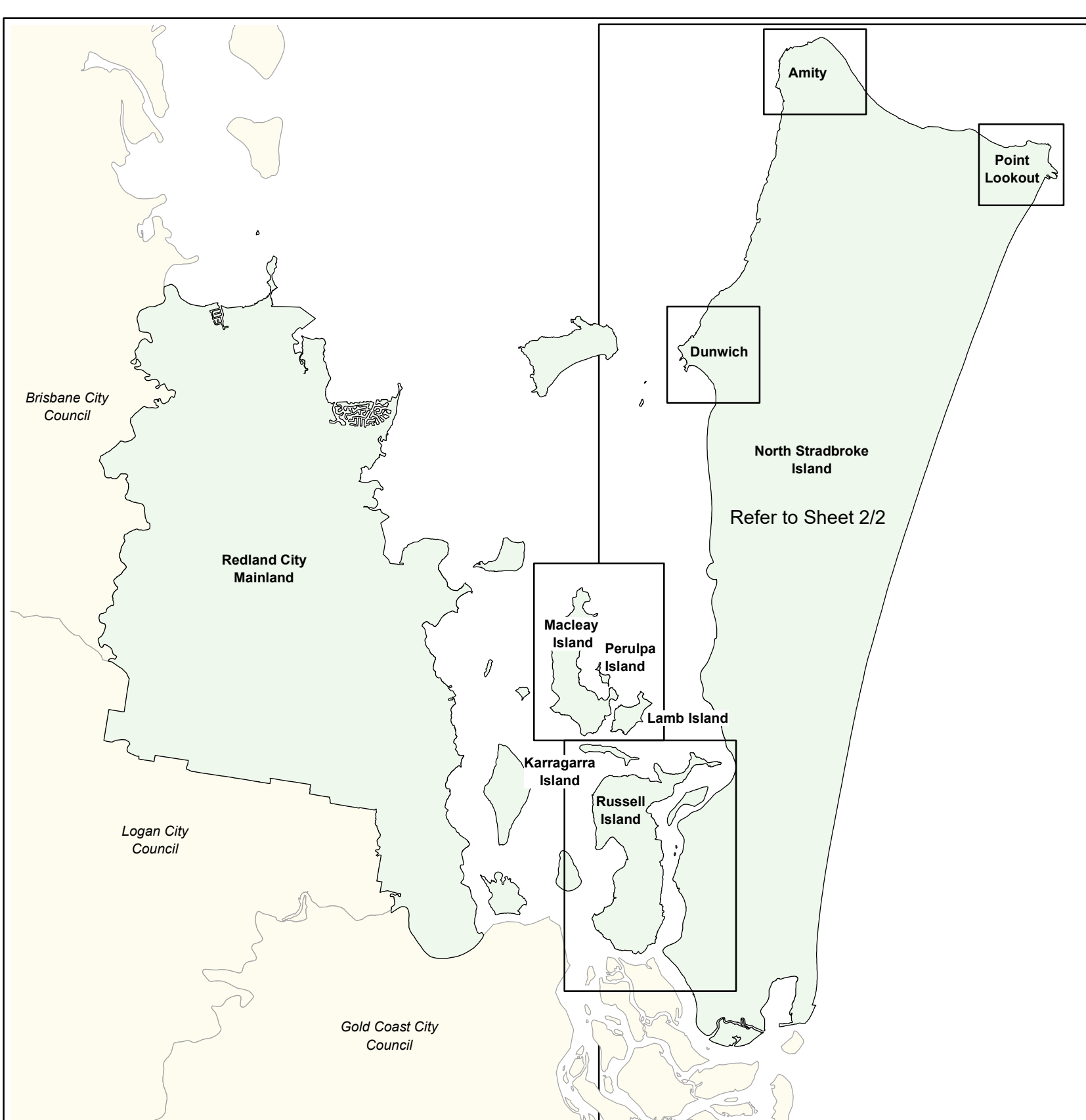
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Brisbane City Council

Logan City Council

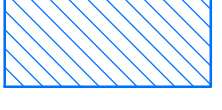

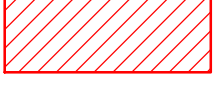
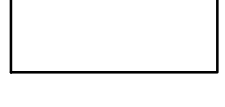



Gold Coast City Council





**City Plan - Environmental Major Amendment Package (04/19)**  
**ENVIRONMENTAL SIGNIFICANCE OVERLAY**

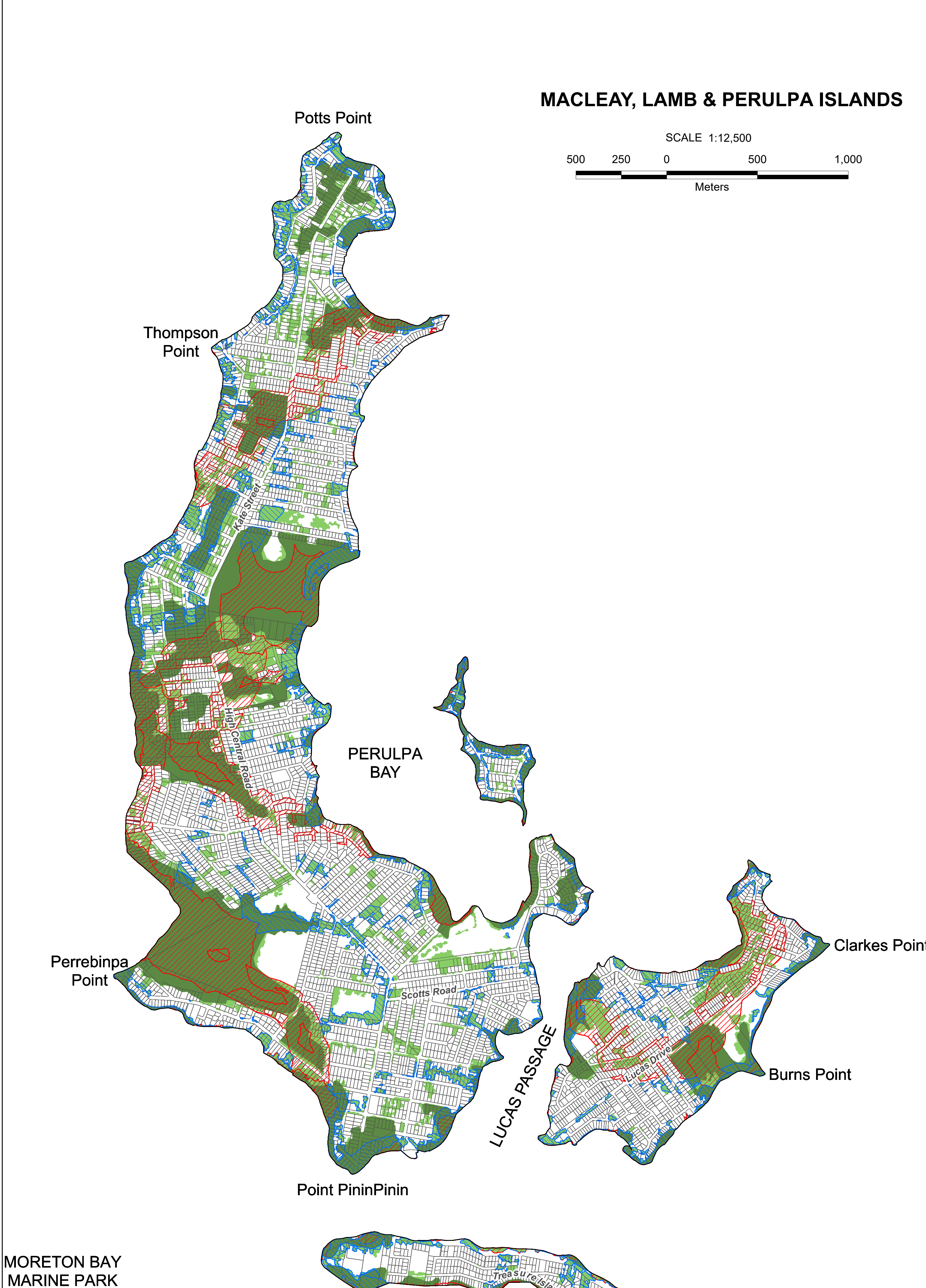
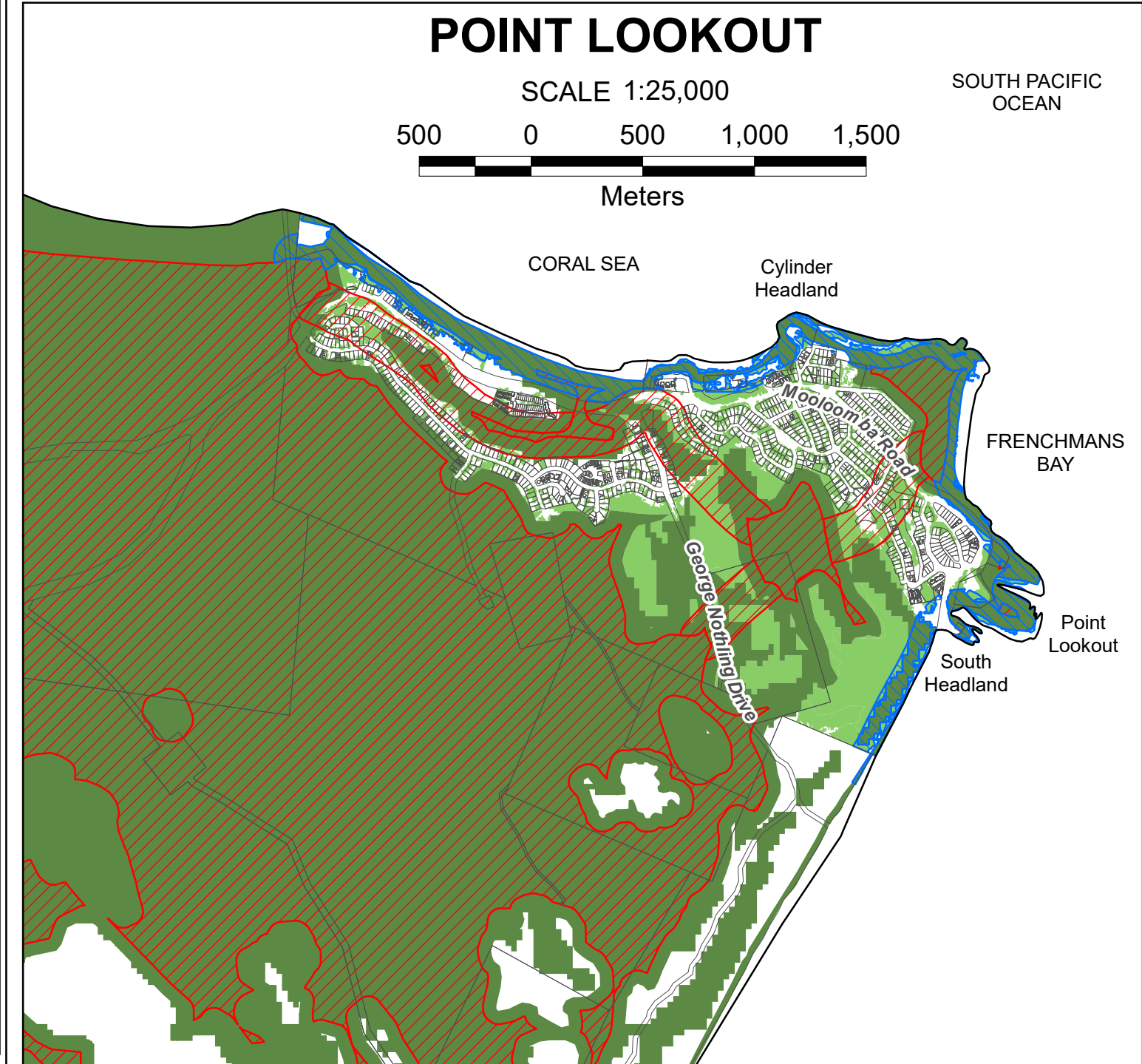
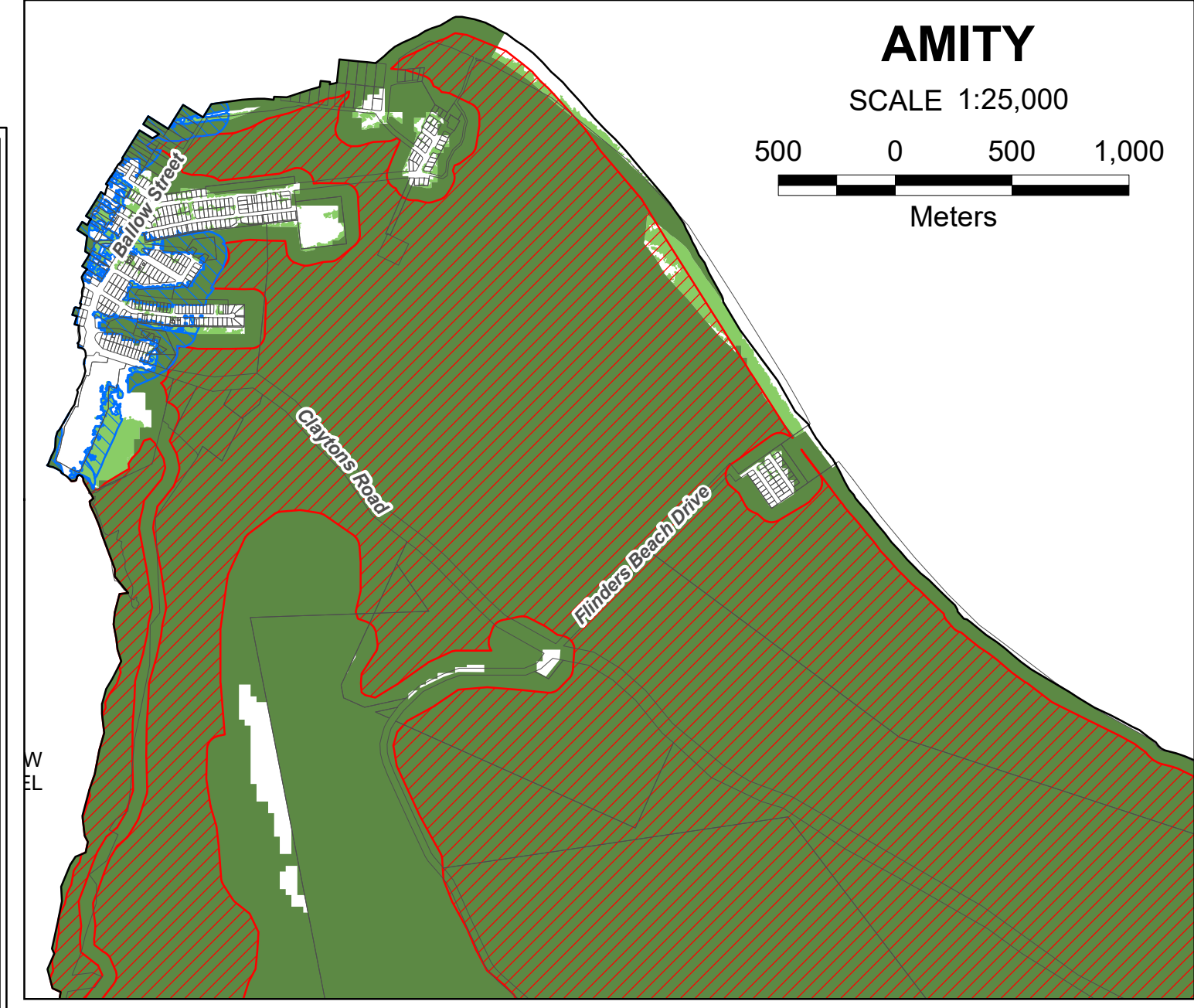
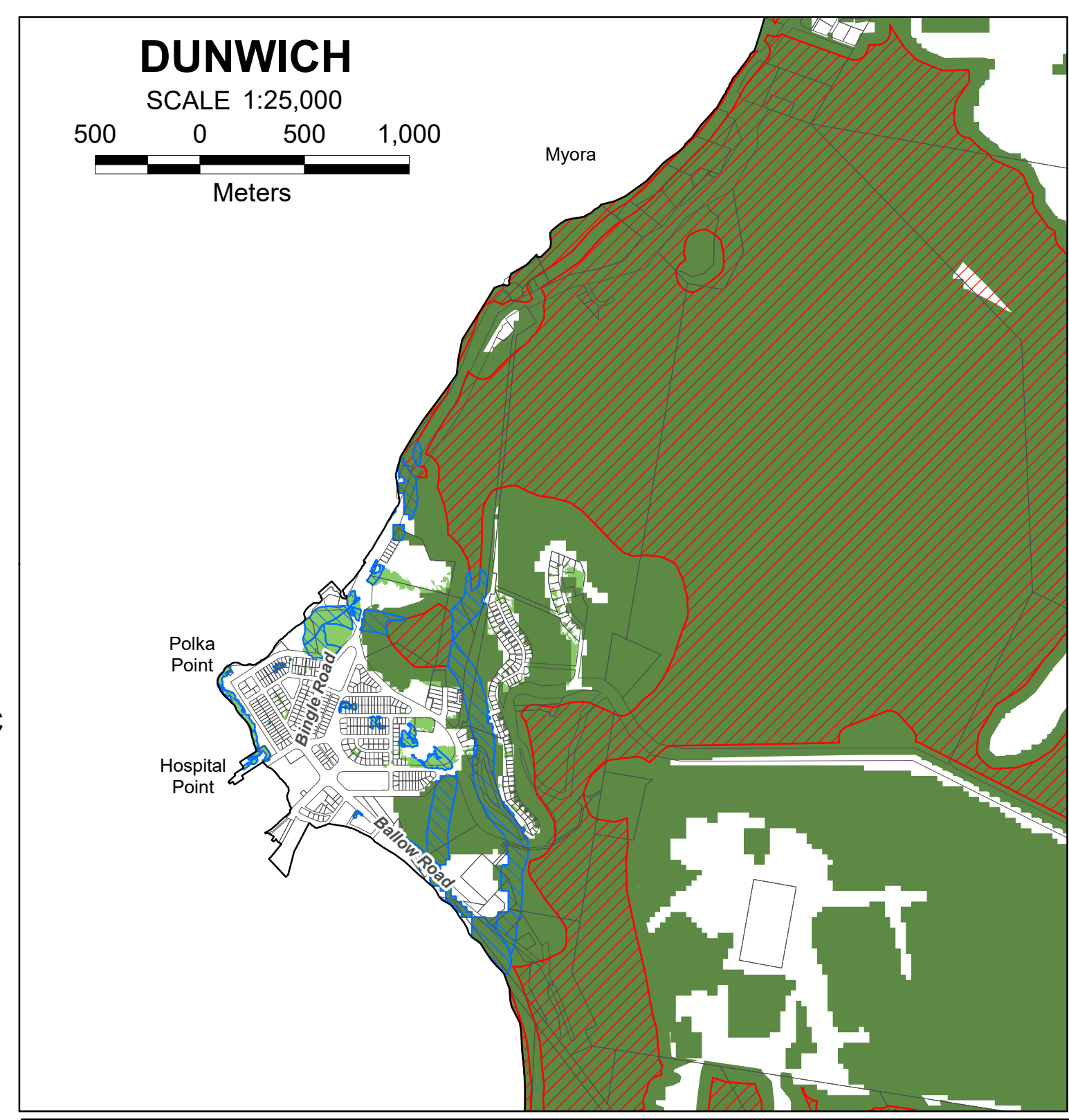
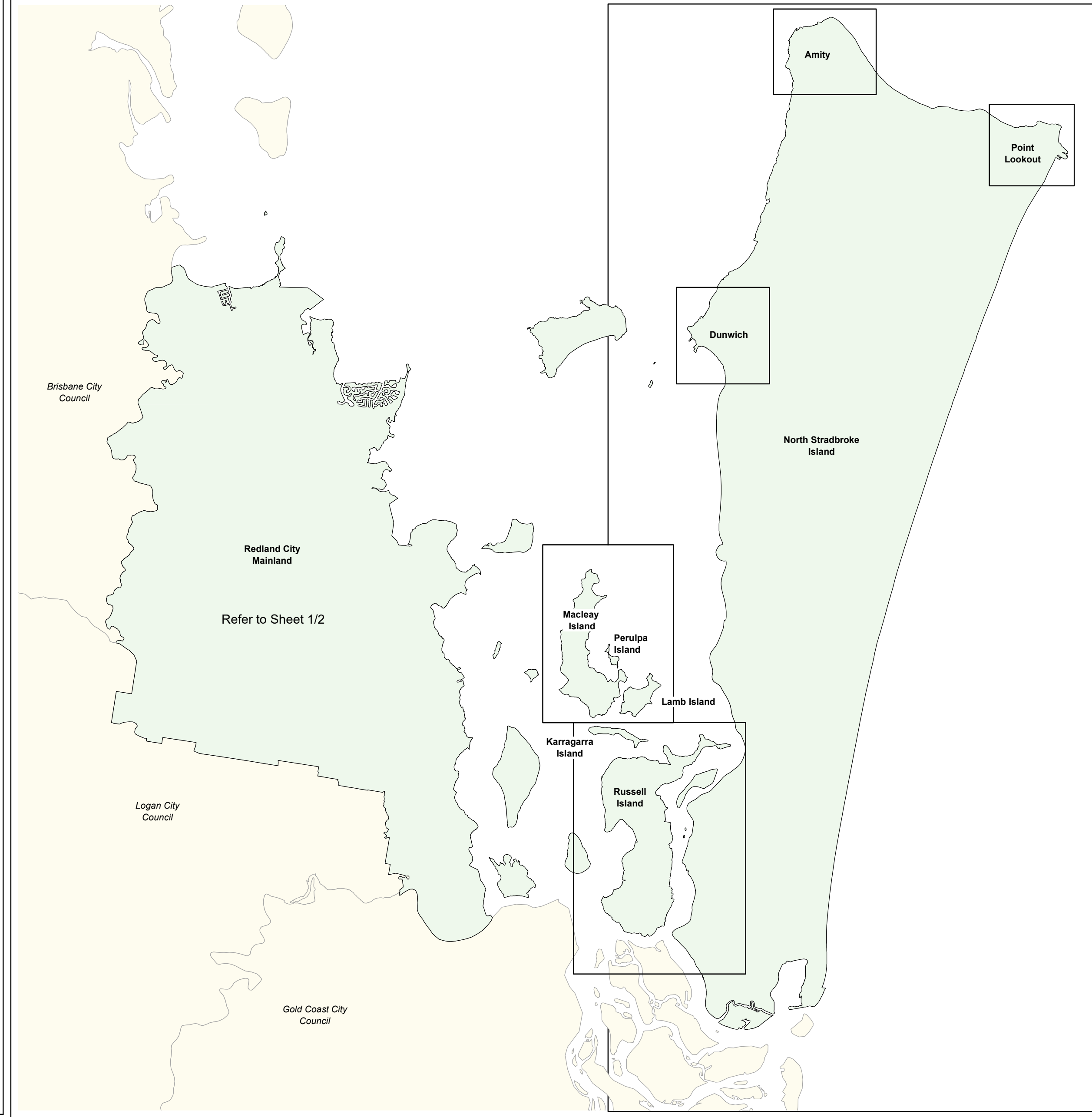
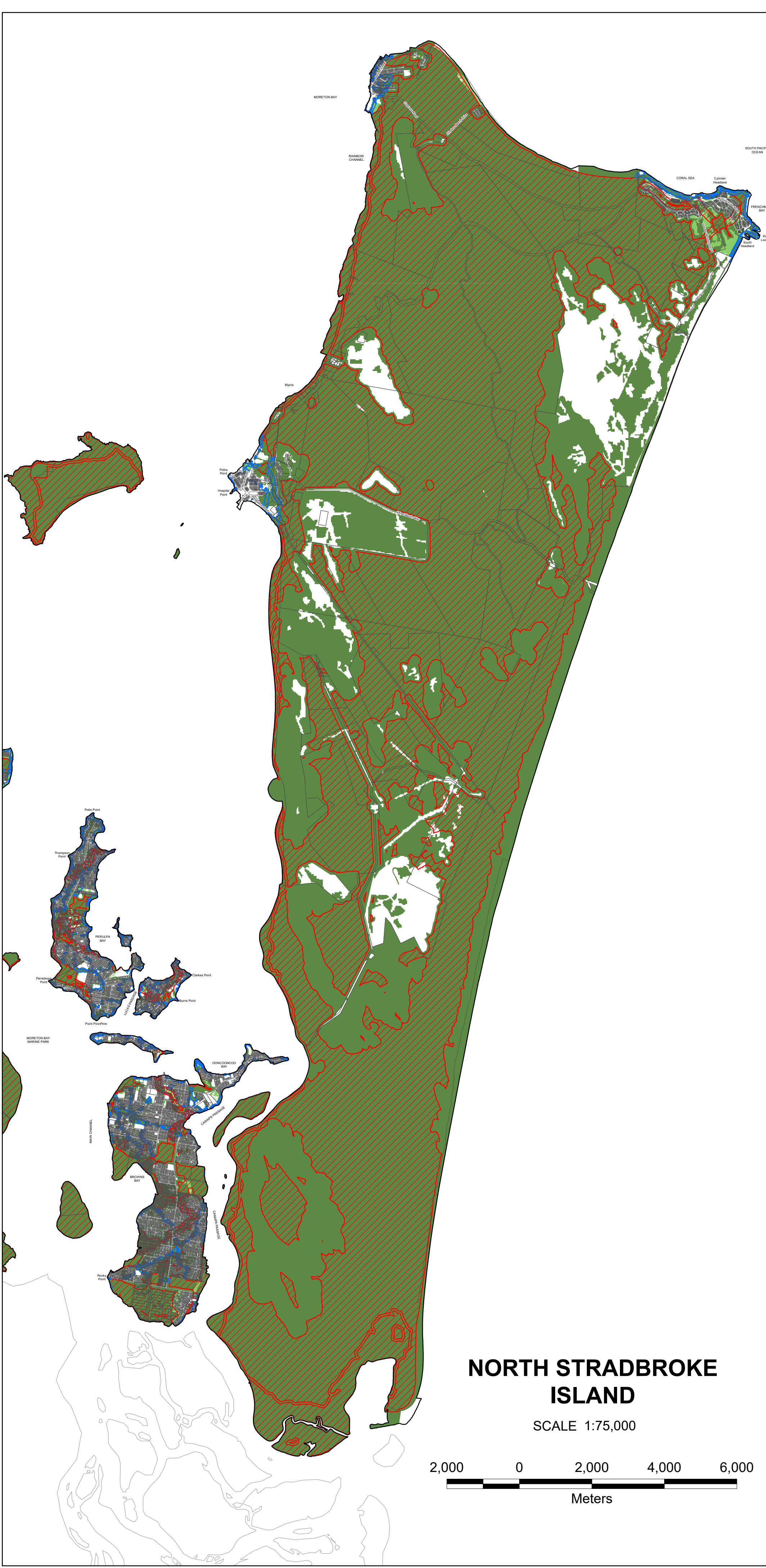
Amendment Version  
 Overlay Map - OM-008  
 Sheet 2/2

- |   |   |   |                               |
|---|---|---|-------------------------------|
|  | MLES - Enhancement/Stepping Stone/Coastal Foreshore Corridors |  | Cadastral Properties          |
|  | MLES - Core Habitat/Established/Regional Riparian Corridors   |  | Outline of RCC                |
|  | MLES - Other  |  | Local Authorities outside RCC |
|  | MSES  |   |                               |



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MORETON BAY  
 MARINE PARK