



The Hon Cameron Dick MP  
Minister for State Development,  
Manufacturing, Infrastructure and Planning

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Our ref: MC17/1152

09 JUN 2018

Councillor Karen Williams  
Mayor  
Redland City Council  
PO Box 21  
CLEVELAND QLD 4163

Dear Councillor Williams

Karen,

Thank you for your letter received on 14 March 2017 to the then Minister for Planning, the Honourable Jackie Trad MP, requesting approval to adopt the draft Redland City Plan (draft City Plan). As the Minister for State Development, Manufacturing, Infrastructure and Planning, I am now responding.

The Department of State Development, Manufacturing, Infrastructure and Planning (the department), in consultation with relevant state agencies, has assessed the draft City Plan in terms of submissions received during the public consultation, changes made as a result of the public consultation, as well as against the requirements of the *Sustainable Planning Act 2009* (SPA) and Statutory guideline 01/16: Making and amending local planning instruments (MALPI) to determine whether or not state interests would be adversely affected by the draft City Plan.

I am pleased to advise, in accordance with SPA and MALPI, I am satisfied the relevant state interests contained in the State Planning Policy April 2016 (SPP April 2016) and the *South East Queensland Regional Plan 2009-2031* have been integrated into the draft City Plan. The Redland City Council (the council) may now adopt the version of the draft City Plan provided to the department on 14 March 2017, subject to the conditions contained in enclosure 1 being complied with prior to adoption. Further advice to assist the council is provided in enclosure 2 and a statement of state interest compliance is provided in enclosure 3.

I understand that officers from the council have collaborated with the department to resolve the outstanding state interest matters relating to the draft City Plan. I appreciate the time that the council has spent in making the draft City Plan and the extensive period and manner in which public consultation was undertaken.

Further, in accordance with section 287(3) of the *Planning Act 2016* (Planning Act), I advise that I am satisfied the aligned version of the draft City Plan as submitted to the department on 19 March 2018, is consistent with the Planning Act and that it has not substantially changed the effect of the proposed amendment.

As you are aware, on 3 July 2017 the State Planning Policy (SPP) July 2017 commenced and replaced the SPP April 2016. The SPP July 2017 was released subsequent to the draft City Plan being progressed to the former Planning Minister. I encourage the council to review the SPP July 2017 and consider a major amendment process to ensure the City Plan appropriately integrates the SPP July 2017.

Please note that the South East Queensland Regional Plan 2017 (*ShapingSEQ*), is the new regional plan for the South East Queensland region. It was given effect on 11 August 2017, and replaces the *South East Queensland Regional Plan 2009-2031*. I encourage the council to review *ShapingSEQ* and include any changes needed to ensure the draft City Plan is integrated with *ShapingSEQ* through a major amendment process. In this regard, the department is currently undertaking a planning scheme alignment review of *ShapingSEQ* and it will continue to work closely with the council to assist in the alignment of the City Plan.

If you require further information, I encourage you to contact Mr Gareth Richardson, Manager, Planning and Development Services - South, in the department, on (07) 5644 3213 or [gareth.richardson@dsmip.qld.gov.au](mailto:gareth.richardson@dsmip.qld.gov.au), who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Cameron Dick', with a stylized flourish at the end.

**CAMERON DICK MP**  
**Minister for State Development, Manufacturing,**  
**Infrastructure and Planning**

Enc (3)

cc: Mr Andrew Chesterman  
Chief Executive Officer  
Redland City Council

## ENCLOSURE 1

### **MINISTERIAL CONDITIONS FOR REDLAND CITY COUNCIL'S DRAFT REDLAND CITY PLAN PURSUANT TO SECTION 117 OF THE SUSTAINABLE PLANNING ACT 2009**

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Pursuant to section 117 of the *Sustainable Planning Act 2009*, I hereby advise the Redland City Council that it may proceed to adopt the draft Redland City Plan (Post Consultation Draft 2017), as submitted on 14 March 2017, subject to the following conditions:

#### ***State interest – Purpose of the Act***

1. Amend Part 6.2 Zone Codes of the proposed City Plan as follows:

- a) Amend the following sections of the Low Density Residential Zone Code:
  - i. section 6.2.1.2 (2)(c) to state *where not within a particular precinct, lot sizes are not reduced below 400m<sup>2</sup>, unless the resultant lots are consistent with the density and character of the surrounding established neighbourhood*
  - ii. section 6.2.1.2 (3)(a)(iv) to state *lot sizes are not reduced below 2,000m<sup>2</sup>, unless the resultant lots are consistent with the density and character of the surrounding established neighbourhood*
  - iii. section 6.2.1.2 (3)(b)(iv) to state *lot sizes are not reduced below 6,000m<sup>2</sup>, unless the resultant lots are consistent with the density and character of the surrounding established neighbourhood*
  - iv. section 6.2.1.2 (3)(d)(v) to state *lot sizes are not reduced below 1,600m<sup>2</sup>, unless the resultant lots are consistent with the density and character of the surrounding established neighbourhood.*
- b) Amend the following sections of the Low-Medium Density Residential Zone Code:
  - i. section 6.2.2.2 (2)(c) to state *lot sizes are not reduced below 400m<sup>2</sup> and have a frontage width of no less than 10m, unless the resultant lots are consistent with the density and character of the surrounding established neighbourhood.*
- c) Amend the following sections of the Medium Density Residential Zone Code:
  - i. section 6.2.3.2 (2)(d) to state *lot sizes are not reduced below 800m<sup>2</sup>, unless the resultant lots are consistent with the density and character of the surrounding established neighbourhood.*

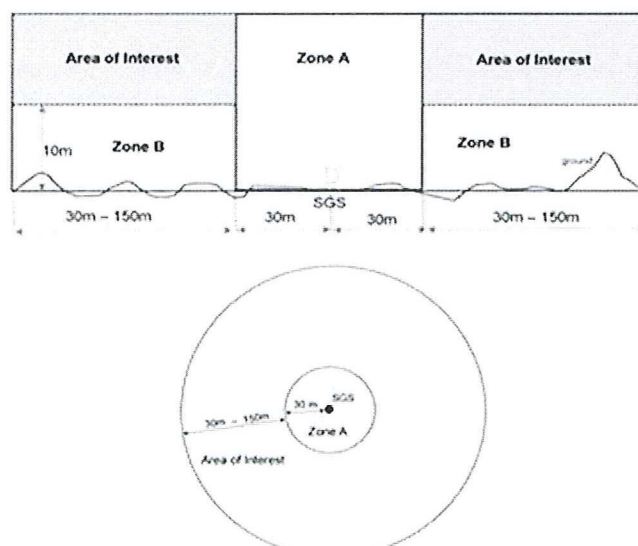
#### ***State interest – State Planning Policy (Biodiversity, Cultural Heritage, Transport Infrastructure, Energy and Water Supply, Natural Hazards, Risk and Resilience, Development and Construction, Tourism and Housing Supply and Diversity)***

2. Amend Schedule 2 – Mapping of the proposed City Plan as follows:

- a) Amend the City Wide Zoning Map (ZM-001) and Redland City Mainland Zoning Map (ZM-002) to remove state land reserve, Lot 600 on SP219225, from the Low Density Residential Zone to the Recreation and Open Space Zone.
- b) Amend the Environmental Significance Overlay (OM-007 and OM-008) and Waterways Wetlands and Moreton Bay Overlay (OM-023 and OM-024) to identify the current Matters of State Environmental Significance (protected area, marine park, wetlands, threatened wildlife and regulated vegetation).
- c) Amend the Transport Noise Corridor Overlay (OM-019) to identify the Transport Noise Corridor – Railway for the Cleveland Railway Line.

- d) Amend the Regional Infrastructure Corridors and Substations Overlay (OM-018) to identify the following 110kV electrical infrastructure easements:
- i. Easement A on CP900470 and Easements B-D and R on SP191080 burdening Lot 1 on SP228365
  - ii. Easements F and G on SP191082 burdening Lot 3 on SP107310
  - iii. Easement E on SP191081 burdening Lot 5 on SP158691
  - iv. Easement H on SP191083 burdening Lot 2 on CP818900
  - v. Easement J on SP186919 burdening Lot 117 on SP228365
  - vi. Easement L on SP186921 burdening Lot 11 on SP106594
  - vii. Easement K on SP186920 burdening Lot 12 on SP106594
  - viii. Easement J on SP186919 burdening Lot 1050 on SP228347
  - ix. Easement Q on SP191084 burdening Lot 119 on SP228365
  - x. Easements M and P-Q on SP191084 burdening Lot 113 on SP228365
  - xi. Easement Q on SP191084 and Easement N on SP191085 burdening Lot 105 on SP228365.
- e) Amend the Coastal protection (Erosion Prone Areas) Overlay (OM-006) to remove the Coastal Management District from the following land parcels:
- i. Lot 40 on RP135031
  - ii. Lot 39 on RP135031
  - iii. Lot 38 on RP135031
  - iv. Lot 37 on RP135031.
- f) Amend the City Wide Zoning Map (ZM-001) and North Stradbroke Island Zoning Map (ZM-005) to reflect the following changes:
- i. Lot 21 on A33930 to change the Recreation and Open Space Zone to the Low Density Residential Zone
  - ii. Lot 141 on SL10562 to change the partial Recreation and Open Space Zone to the Low Impact Industry Zone
  - iii. Lot 12 on PL85432 to change the Conservation Zone to the Low Density Residential Zone
  - iv. Lot 13 on PL85432 to change the Conservation Zone to the Low Density Residential Zone
  - v. Lot 39 on D90444 to change the Recreation and Open Space Zone to the Low Density Residential Zone
  - vi. Lot 18 on SP296433 to change the Conservation Zone to the Community Facilities Zone.

3. Replace Figure 8.2.1.3.3 – Birkdale satellite ground station building restriction area with the following diagram:



4. Amend Table 5.10.1, Environmental Significance Overlay, Operational work involving clearing of native vegetation, under the “level of assessment” column as follows:

Self-assessable if clearing is within:

- (1) the rural zone on land that contains a dwelling house and the combined area of the proposed clearing and any clearing previously undertaken since commencement of the first version of this planning scheme exceeds 500m<sup>2</sup> and does not exceed 2500m<sup>2</sup>.

5. Amend Table 5.10.1, Environmental Significance Overlay, Operational work involving clearing of native vegetation, under the “development” column to include an editor’s note as follows:

Editor’s note – Referral or approval under the *Sustainable Planning Act 2009* and *Water Act 2000* may also be required.

6. Amend Table 6.2.16.3.1 to include the following AO and PO under the “For self-assessable and assessable” heading and “Environmental protection and public safety” subheading as follows:

AO: No acceptable outcome is nominated.

PO: Development does not involve the handling or storage of hazardous chemicals described in Schedule 11, table 11.1 of the Work Health and Safety Regulation 2011 at quantities that exceed the manifest quantity identified in column 5 of Schedule 11, table 11.1 of the Work Health and Safety Regulation 2011.

In addition, make the necessary sequential changes to the numbering of the succeeding POs and AOs.

7. Amend Table 8.2.4.3.1 to include the following editor’s note under PO1 as follows:

Editor’s note—See Planning Scheme Policy 1 – Environmental significance for advice on achieving compliance with this outcome.

***State interest – State Planning Policy (Cultural Heritage) and South East Queensland Regional Plan 2009-2031 (Item 7.3 – Social and economic equity and Item 7.4 – Cultural Values)***

8. Amend section 3.3.1.4(11) of the Strategic Framework to state ‘future development on North Stradbroke Island should recognise and reflect indigenous land use values and the economic and social needs of the indigenous community’.

***State interest – State Planning Policy (Development and Construction and Natural Hazards, Risk and Resilience)***

9. Amend Table 6.2.1.3.1 as follows:

- a) include the following subheading and associated AO and PO under the “For self-assessable and assessable development” heading as follows:

Subheading: Dwelling houses and dual occupancies

AO: Development is set back 9m from the property boundary adjoining a revetment wall.

PO: Development in Raby Bay, Aquatic Paradise and Sovereign Waters is setback from a property boundary adjoining a revetment wall to:

- (1) Reduce the risk to new structures from the construction, maintenance, structural deterioration or failure of revetment walls;
- (2) Maintain the structural stability of revetment walls;
- (3) Provide unimpeded access to allow for the maintenance of revetment walls.

Note (1) —

All structural elements of a building or structure (e.g. retaining walls and pools), including footings, structural steel and reinforced concrete portions, must comply with the Building Code of Australia (BCA). The BCA is a uniform set of technical provisions for the design and construction of buildings and structures throughout Australia. The BCA is produced and maintained by the Australian Building Codes Board (ABCB), and given legal effect in Queensland under the *Building Act 1975*.

The BCA requires all buildings and structures to be structurally sound. Where an engineering design is necessary, a building certifier will generally require the building or structure to be certified by a Registered Professional Engineer who is registered to practice in Queensland to confirm that these elements meet minimum structural standards and comply with any relevant Australian Standards.

In addition, make the necessary sequential changes to the numbering of the succeeding POs and AOs.

- b) Remove AO3.1 and PO3 from the "Dwelling houses" subheading and include within the "Dwelling houses and dual occupancies" subheading.
- c) Amend AO3.1 to include reference to dual occupancies.

### **Drafting errors**

10. Amend all references of SEQ Water to Seqwater.
11. Amend Table 5.10.1, Waterway Corridors and Wetlands Overlay, Operational work involving clearing of native vegetation, under the "level of assessment" column as follows:

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

Dated this 9<sup>th</sup> day of June 2018



**CAMERON DICK MP**  
**Minister for State Development, Manufacturing,**  
**Infrastructure and Planning**

## ENCLOSURE 2

### FURTHER ADVICE FOR THE REDLAND CITY COUNCIL'S DRAFT REDLAND CITY PLAN

The following further advice is given to the Redland City Council (the council) for its consideration:

#### ***Small lot housing***

1. The proposed changes made to the draft Redland City Plan, in particular—the change to the minimum lot size in the Low-Medium Density Residential Zone from 250m<sup>2</sup> to 400m<sup>2</sup>—may result in a reduction in the diversity and amount of small lot housing.

The council should undertake additional studies to ensure the Redland City Plan will provide appropriately zoned land to accommodate a diverse range of dwellings, particularly small lot housing.

## ENCLOSURE 3

### STATEMENT OF STATE INTEREST INTEGRATION

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- 1) I have identified that the State Planning Policy April 2016 (SPP April 2016) is integrated in the draft Redland City Plan (draft City Plan) in the following ways:

#### **Aspects of the SPP April 2016 appropriately integrated**

- Guiding principles
- Housing supply and diversity
- Liveable communities
- Agriculture
- Development and construction
- Mining and extractive resources
- Tourism
- Biodiversity
- Coastal environment
- Cultural heritage
- Water quality
- Emissions and hazardous activities
- Natural hazards, risk and resilience
- Energy and water supply
- State transport infrastructure
- Strategic airports and aviation facilities
- Strategic ports.

Please note that the State Planning Policy July 2017 (SPP July 2017), was approved on 19 May 2017 and commenced on 3 July 2017. In accordance with section 8(4)(a) of the *Planning Act 2016*, the SPP July 2017 applies to the extent of any inconsistency. Where the draft City Plan does not reflect the SPP July 2017, additional assessment benchmarks may apply and the SPP July 2017, as a whole may need to be considered to the extent of any inconsistency.

- 2) I am also satisfied that the *South East Queensland Regional Plan 2009-2031* has been integrated into the Redland City Plan.

Please note that the South East Queensland Regional Plan 2017 (*ShapingSEQ*), was given effect on 11 August 2017 and replaces the *South East Queensland Regional Plan 2009-2031*. I encourage the council to review *ShapingSEQ* and include any changes needed to ensure the draft City Plan is integrated with *ShapingSEQ* through a major amendment process.

Dated this 9<sup>th</sup> day of June 2018



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