Refer 3 page attachment

1 BASIS FOR CONFIDENTIALITY

1.1 It is recommended that this report be considered in Closed Session pursuant to section 275 (1) of the Local Government Regulation 2012 for the reason that the matter involves

(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.

1.2 That the report be deemed non-confidential except for those parts deemed by the Chief Executive Officer to remain confidential in accordance with sections 171 (3) and 200 (5) of the Local Government Act.

2 EXECUTIVE SUMMARY

Work has commenced on the items in the intended work program for City Plan Major update 2 (Major update 2).

This report relates to General Policy Refinements identified in the intended work program and provides:

i. a summary of the issues associated with each item;
ii. confirmation if a change to the City Plan is required; and
iii. an overview of the recommended changes to the respective sections of the City Plan.

Council resolved on 21 February 2017 (refer Attachment A for full resolution) that a report consider Place of worship as a code assessable use in the Sport and recreation zone (Bundall equestrian area precinct).

The key recommendations are as follows:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Change Recommended</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Lot area calculations for battle-axe subdivisions</td>
<td>No</td>
<td>No change is proposed to the Level of Assessment trigger for lot size calculations.</td>
</tr>
<tr>
<td>Access way criteria for battle-axe subdivisions</td>
<td>Yes</td>
<td>The proposed changes to have a maximum of two (2) lots sharing an access handle ensures the functionality and management of the handle is maintained.</td>
</tr>
<tr>
<td>2 Updates to the Two Supply System area (previously ‘dual reticulation’) mapping and minor policy adjustments</td>
<td>Yes</td>
<td>The proposed changes will improve delivery of the Council endorsed policy positions.</td>
</tr>
</tbody>
</table>
ITEM 11 (Continued)

CITY PLAN MAJOR UPDATE 2 – GENERAL POLICY REFINEMENTS (PART 2)
PD98/1132/08/01(P1)

<table>
<thead>
<tr>
<th>Issue</th>
<th>Change Recommended</th>
<th>Justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Yes</td>
<td>Landings (e.g. pontoons, jetties, wharfs) and access restriction strips should be updated to reflect consistent zoning allocation across the City.</td>
</tr>
<tr>
<td>4</td>
<td>Yes</td>
<td>It is proposed to realign the zone, density and height provisions in the surrounding area.</td>
</tr>
<tr>
<td>5</td>
<td>No</td>
<td>This review was initiated in accordance with the Council resolution 21 February 2017 (G017.0221.012). It was found that the type of use requires assessment against criteria that is not easily quantifiable and therefore is not recommended to change.</td>
</tr>
</tbody>
</table>

It is proposed that:
- Council’s endorsement to commence the statutory process for Major update 2 will be sought in April 2017; and
- the final drafted content of the entire Major update 2 package will be presented to the City Planning Committee for endorsement, prior to submission to the Minister for Infrastructure, Local Government and Planning (the Minister) for its first State interest review.

3 PURPOSE OF REPORT

This report seeks Council’s consideration of four (4) General Policy Refinements for City Plan Major update 2, and endorsement of:

i. Update in relation to:
   a. Access way criteria for battle-axe subdivisions;
   b. Two Supply System area overlay;
   c. Mapping calibration and policy alignment; and
   d. Localised mapping improvements.

ii. No change to the City Plan, at this time, to deal with calculation of lot size excluding the access strips in subdivisions on Rural and Rural residential land.

iii. No change to the City Plan, at this time, to deal with Places of Worship in the Sport and recreation zone (Bundall equestrian area precinct).

4 PREVIOUS RESOLUTIONS

A complete list of resolutions relating to this part of the General Policy Refinements is included in Attachment A.
5 DISCUSSION

Members of the City Planning Committee received a memorandum, dated 5 December 2016, from the Director of Planning and Environment, listing improvement suggestions to City Plan, and a work program informing City Plan Major update 2.

On 21 February 2017, Council resolved to consider these items progressively during the first quarter of 2017.

It is proposed:
- Council’s endorsement to commence the statutory process for Major update 2 will be sought in April 2017; and
- a separate report seeking the final endorsement of the entire Major update 2 package will be presented to the City Planning Committee, prior to the first State interest review.

This report considers four (4) General Policy Refinements on the work program for City Plan Major update 2, being the second part of the General Policy Refinements investigated. The additional item regarding the Places of Worship in the Sport and recreation zone (Bundall equestrian area precinct) which was raised by City Planning Committee after endorsement of the list is also included in this report.

The following tables provide a summary of the recommended policy updates with drafted content for Council’s consideration and endorsement.

### 1. LOT AREA CALCULATIONS AND ACCESS WAY CRITERIA FOR BATTLE-AXE SUBDIVISIONS

<table>
<thead>
<tr>
<th>SUMMARY OF ISSUE</th>
<th>SUMMARY OF RECOMMENDED POLICY CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Area Calculations</td>
<td>No change is recommended.</td>
</tr>
</tbody>
</table>

In response to external feedback, officers undertook a review of the levels of assessment for Reconfiguring a Lot for subdivisions involving battle-axe handles (access strips) in the Rural and Rural residential zones. The City Plan excludes access strips from lot size calculations.

It was found there is negligible difference to the size of a land parcel when including or excluding the access handle in the lot size calculation for these zones.

It appears that the issue raised by the submitter is a perceived issue. It is considered that the existing note is not an excessive burden on applicants as the majority of Reconfiguring of a Lot applications are triggered to impact assessment because of the non-compliance with the average lot size area of 8,000m² in the Rural residential zone. During the first year of the City Plan adoption, only one (1) of the applications received did not meet minimum lot size requirements of 4,000m² in the Rural residential zone when excluding the access handle however the original lot size was less 8,094m² and therefore did not meet the average lot size requirements.
1. LOT AREA CALCULATIONS AND ACCESS WAY CRITERIA FOR BATTLE-AXE SUBDIVISIONS

Only one (1) application was received in the Rural zone during this time. This application triggered impact assessment as it did not meet the minimum lot size of 100 hectare even when including the access handle.

RECOMMENDED DRAFTED OUTCOMES

No change is recommended.

SUMMARY OF ISSUE

Access Way Criteria

Feedback has been received recommending that Performance outcome PO4 of the Reconfiguring a lot code be amended to broaden the scope of the provision beyond “width” of access strips.

The current Performance outcome PO4 and Acceptable outcome AO4 do not address the number of lots permitted to benefit from an access easement. Ideally access easements should have one (1) burdened lot and one (1) benefiting lot. This is consistent with Acceptable outcome AO2.2 of the Reconfiguring a lot code which states “Only one rear lot is created”.

Council has been resistant to permit multiple lots benefiting from an access easement due to functional problems with managing the easement.

It is recommended that an additional provision be included to limit the number of lots permitted to access an access easement.

RECOMMENDED DRAFTED OUTCOMES

In 9.4.8 Reconfiguring a lot code, Table 9.4.8-1: Reconfiguring a lot code – for assessable development

Omit

The widths of

Insert

AO4.2 Parties to an access easement are limited to two (2) lots (e.g. the burdened lot and one (1) benefiting lot).

as shown below:

Table 9.4.8-1: Reconfiguring a lot code – for assessable development

Road access

<table>
<thead>
<tr>
<th>PO4</th>
<th>AO4.1</th>
</tr>
</thead>
<tbody>
<tr>
<td>The widths of Design and management arrangements of access strips and easements</td>
<td>Minimum widths for access strips and easements comply with Table 9.4.8-2: Minimum width of access strips or easements</td>
</tr>
</tbody>
</table>
## 1. LOT AREA CALCULATIONS AND ACCESS WAY CRITERIA FOR BATTLE-AXE SUBDIVISIONS

<table>
<thead>
<tr>
<th>(a)</th>
<th>provide safe and efficient access for vehicles and pedestrians;</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b)</td>
<td>allow for effective and reasonable ongoing maintenance.</td>
</tr>
</tbody>
</table>

### AO4.2

**Parties to an access easement are limited to two (2) lots (e.g. the burdened lot and one (1) benefiting lot).**

## 2. UPDATES TO TWO SUPPLY SYSTEM AREA (PREVIOUSLY ‘DUAL RETICULATION’) MAPPING AND MINOR POLICY ADJUSTMENTS

<table>
<thead>
<tr>
<th>SUMMARY OF ISSUE</th>
<th>SUMMARY OF RECOMMENDED POLICY CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>This item seeks to update overlay mapping associated with the Two Supply System area (formerly referred to as ‘dual reticulation’ area) as requested by Gold Coast Water and Waste. The recommended updates will also include changes to terminology and improvements in the delivery of the Council endorsed policy positions.</td>
<td>The recommended policy change is outlined as follows:</td>
</tr>
<tr>
<td></td>
<td>- Amend terminology from ‘Dual reticulation’ to ‘Two supply system’.</td>
</tr>
<tr>
<td></td>
<td>- Update the mapping which shows the extent of the ‘Two supply system’ area consistent with the map provided below.</td>
</tr>
<tr>
<td></td>
<td>- Inclusion of a new category in the mapping and overlay code for ‘Potential single supply system’ areas.</td>
</tr>
<tr>
<td></td>
<td>- Inclusion of new code provisions to allow the opportunity for developers to avoid installation of a ‘Two supply system’ if it is proven this is not required.</td>
</tr>
</tbody>
</table>

### RECOMMENDED DRAFTED OUTCOMES

- Change the Water catchments and dual reticulation overlay map to:
  - Change the title and any references on the map from ‘Dual reticulation’ to ‘Two supply system area’.
  - Update mapping for areas where ‘Two supply systems’ are required and include an additional category for ‘Potential single supply system’ areas, consistent with Figure 1, below.
- Update Dual reticulation overlay code to:
  - Change the title and any references within the code from ‘Dual reticulation’ to ‘Two supply system area’.
  - Include additional provisions for ‘Potential single supply system’ areas to allow the opportunity for applicants to avoid installation of a two supply system if it is proven this is not required.
- Update references throughout City Plan, as required, to align with the above updates.
ITEM 11 (Continued)
CITY PLAN MAJOR UPDATE 2 – GENERAL POLICY REFINEMENTS (PART 2)
PD98/1132/08/01(P1)

2. UPDATES TO TWO SUPPLY SYSTEM AREA (PREVIOUSLY ‘DUAL RETICULATION’) MAPPING AND MINOR POLICY ADJUSTMENTS

Updated two supply area mapping

3. MAPPING CALIBRATION AND POLICY ALIGNMENT - STANDARDISATION OF ZONING AND RELATED MAPPING FOR LANDINGS AND ACCESS RESTRICTION STRIPS

<table>
<thead>
<tr>
<th>SUMMARY OF ISSUE</th>
<th>SUMMARY OF RECOMMENDED POLICY CHANGE</th>
</tr>
</thead>
</table>
| Landings         | A standardised approach to the zoning of landings within property is recommended.  
|                  | Note: There is no policy change to section 1.3.4 of the City Plan, which clarifies that land parcels are taken to have the same zone as adjoining land if a development application is lodged over the property. |

The majority of landings in the City are not included in property; they are included in waterways and are therefore not zoned. However, there are instances where landings are included in property.

Although most of these landings are unzoned, there are some that have zoning applied (same as the adjoining property). Some instances also include overlay mapping applied as a result of the zoning (i.e. built form related overlays only such as building height, residential density, minimum lot size).

As there is no development intent for these properties (or part properties), they are recommended to be unzoned, with any related overlay mapping removed.
### 3. MAPPING CALIBRATION AND POLICY ALIGNMENT - STANDARDISATION OF ZONING AND RELATED MAPPING FOR LANDINGS AND ACCESS RESTRICTION STRIPS

<table>
<thead>
<tr>
<th>Access restriction strips</th>
<th>A standardised approach to the zoning of access restriction strips owned by Council is recommended. It is recommended the Special purpose zone is used as the proposed zoning for these properties. This was considered the best option to achieve consistency across the City.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access restriction strips occur throughout the City and are owned by Council. The majority are zoned the same as the adjoining property to which they relate but there are instances where the zoning varies to that of the adjoining land or the property is ‘unzoned’. These properties are recommended to be zoned Special purpose to standardise mapping.</td>
<td></td>
</tr>
</tbody>
</table>

**RECOMMENDED DRAFTED OUTCOMES**

In Schedule 2 Mapping, SC2.4 Zone maps, change all landings to ‘unzoned’ property.

In Schedule 2 Mapping, SC2.4 Zone maps, change all access restriction strips to the Special purpose zone.

In Schedule 2 Mapping, make consequential changes as required to ensure City Plan mapping is calibrated to the new zonings.

### 4. LOCALISED MAPPING IMPROVEMENTS

<table>
<thead>
<tr>
<th>SUMMARY OF ISSUE</th>
<th>SUMMARY OF RECOMMENDED POLICY CHANGE</th>
</tr>
</thead>
</table>
| Land at 132 Ridgeway Avenue, Southport (Lot 8 on RP75423) is in the Special purpose zone. This property was previously owned by Energex, accordingly the City Plan included the site in the Special purpose zone. There are no structures on the property. The property has now been sold, as the site was deemed surplus to Energex's future infrastructure requirements. For context, a development permit for a Child care centre was approved on the property, in July 2016. To date, this approval has not been enacted. The property is surrounded by low rise Multiple dwellings with a zoning of Medium density residential, a designated height of 2 storeys (9m), and a residential density of RD3 (1 dwelling per 250m²). It is recommended that the same mapping designations be applied to the subject site for consistency with the surrounds and given the site is no longer required for public purposes. | Include Lot 8 on RP75423 in the:  
- Medium density residential zone;  
- RD3 designation area on the Residential density overlay map; and  
- 2 storeys (9m) on the Building height overlay map. |
4. LOCALISED MAPPING IMPROVEMENTS

Site context

Zone map – Special purpose zone

Residential density overlay map – no residential density designation

Building height overlay map – no building height designation

RECOMMENDED DRAFTED OUTCOMES

In Schedule 2 Mapping, SC2.4 Zone maps, include Lot 8 of RP75423 in the Medium density residential zone, as shown below:
4. LOCALISED MAPPING IMPROVEMENTS

In Schedule 2 Mapping, SC2.6 Overlay maps, ‘Building height overlay maps’, include Lot 8 of RP75423 in the ‘2(9m)’ designation area, as shown below:

In Schedule 2 Mapping, SC2.6 Overlay maps, ‘Residential density overlay maps’, include Lot 8 of RP75423 in the ‘RD3’ designation area, as shown below:
4. LOCALISED MAPPING IMPROVEMENTS

Current:

In Schedule 2 Mapping, make consequential changes to other City Plan mapping designations as required.

Proposed:

5. PLACE OF WORSHIP IN THE SPORT AND RECREATION ZONE (BUNDALL EQUESTRIAN AREA PRECINCT)

<table>
<thead>
<tr>
<th>SUMMARY OF ISSUE</th>
<th>SUMMARY OF RECOMMENDED POLICY CHANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>A review of the level of assessment for Place of worship in the Sport and recreation zone (Bundall equestrian precinct) has been undertaken in accordance with the Council resolution 21 February 2017: “That a report be brought back to Committee giving consideration to the inclusion of place of worship as code assessable applications in the Sport and Recreation zone (Bundall Equestrian Area Precinct) of City Plan”</td>
<td>No Change recommended.</td>
</tr>
</tbody>
</table>

The City Plan defines a Place of worship as:

<table>
<thead>
<tr>
<th>Column 1 Use</th>
<th>Column 2 Definition</th>
<th>Column 3 Examples include</th>
<th>Column 4 Does not include the following examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>Place of worship</td>
<td>Premises used by an organised group for worship and religious activities. The use may include ancillary facilities for social, educational and associated charitable activities.</td>
<td>Church, chapel, mosque, synagogue, temple</td>
<td>Community use, child care centre, funeral parlour, crematorium</td>
</tr>
</tbody>
</table>

A Place of worship can greatly vary in terms of operation and impacts (e.g. hours of operation, noise, car parking etc) which are not all easily quantifiable.
5. PLACE OF WORSHIP IN THE SPORT AND RECREATION ZONE (BUNDALL EQUESTRIAN AREA PRECINCT)

The Bundall equestrian precinct comprises a range of uses, being predominantly the Gold Coast Turf Club, multiple dwellings, dwelling houses, stables, and small scale commercial uses.

The zone code identifies the purpose of The Bundall equestrian area precinct as a:

“racing and events precinct, providing a venue for outdoor events and the Gold Coast Show, while retaining and enhancing its role as a regional centre for horseracing and related equine activities. Outdoor events, including temporary uses may occur where acceptable standards of amenity are maintained for nearby sensitive uses.

Supporting development consists of a limited range of Shops, Service industry premises and Medium-rise residential and Short-term accommodation where they do not conflict with the long-term operation of the Benowa re-pump facility.”

As identified above, the zone code and precinct purpose identify that acceptable standards of amenity are to be maintained for nearby sensitive uses.

Given the precinct comprises of residential uses and is surrounded by residential zones, the amenity considerations of these residences are a key consideration in any levels of assessment changes in the precinct.

Place of worship has varying impacts given:
- varying built form (including scale and design) and
5. PLACE OF WORSHIP IN THE SPORT AND RECREATION ZONE (BUNDALL EQUESTRIAN AREA PRECINCT)

- varying operations and nature (hours, number of visitors, ancillary uses, noise, car parking etc) which are not easily quantifiable in a code, it is considered appropriate for the use to remain subject to impact assessment. This enables appropriate consideration and protection of the amenity of residents and other sensitive uses in the precinct and surrounds.

Furthermore, it is considered the provisions in the zone code and the Strategic framework do not preclude a Place of worship from occurring, where it can demonstrate that it does not compromise the precinct’s role as a ‘centre for horseracing and equine activities’, nor the amenity of nearby sensitive uses (predominantly residential within and surrounding the precinct).

RECOMMENDED DRAFTED OUTCOMES

No change recommended.

6 ALIGNMENT TO THE CORPORATE PLAN, CORPORATE STRATEGIES AND OPERATIONAL PLAN

The City Plan is identified as a key deliverable in ensuring the themes of the Corporate Plan are achieved. Accordingly, all the themes (the best place to live and visit, prosperity built on a strong diverse economy and people contribute to a strong community spirit) of the Corporate Plan are applicable. A robust City Plan is essential to achieve the desired outcomes detailed in the Corporate Plan.

The City Plan is an initiative in the Operational Plan.

7 GOLD COAST 2018 COMMONWEALTH GAMES™ IMPACT

Not Applicable.

8 FUNDING AND RESOURCING REQUIREMENTS

Not Applicable.

9 RISK MANAGEMENT

This activity supports the mitigation of Planning and Environment Directorate Risk number CO000510:

‘City Plan delivers inadequate and/or ineffective strategic/development policy (e.g. poor planning, built form, growth, social and environmental outcomes - including flood impacts).’
10 STATUTORY MATTERS

The proposed changes to City Plan constitute a major amendment under the Statutory guideline 01/16, Making and amending local planning instruments, April 2016 (MALPI). The proposed updates are recommended for inclusion in the Major update 2 amendment package.

The timeline below outlines the relevant MALPI steps to undertake a major update:

```
<table>
<thead>
<tr>
<th>Stage 1</th>
<th>Stage 2</th>
<th>Stage 3</th>
<th>Stage 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning and preparation</td>
<td>State interest review</td>
<td>Public consultation</td>
<td>Adoption</td>
</tr>
<tr>
<td>Step 1. Propose amendment</td>
<td>Step 2. Minister confirms State interests</td>
<td>Step 3. Prepare amendment content</td>
<td>Step 5. Minister considers and decides how to proceed</td>
</tr>
<tr>
<td>Step 4. Progress to State interest review</td>
<td>Step 6. Address Ministerial requirements and undertake public consultation</td>
<td>Step 7. Review submissions and decide how to proceed</td>
<td></td>
</tr>
<tr>
<td>Step 8. Minister advises on adoption</td>
<td>Step 9. Decision to Adopt</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
```

Council’s endorsement to commence the statutory process (i.e. Step 1 of MALPI) for Major update 2 will be sought in April 2017.

11 COUNCIL POLICIES

Not Applicable.

12 DELEGATIONS

Not Applicable.

13 COORDINATION & CONSULTATION

City Development officers have reviewed the proposed update content and are supportive of the proposed updates. Internal stakeholders have been and will continue to be consulted as the update progresses through the statutory process.

Council officers will continue to liaise with State Government officers on the content and timing for Major update 2 throughout the process.

Major update 2 will be required to undergo public notification (with all submissions considered) prior to adoption.

14 STAKEHOLDER IMPACTS

Major updates to the City Plan will have implications for internal and external stakeholders, particularly in terms of planning and assessment of future development.

15 TIMING

The items recommended to be updated in this report will inform part of the scope for the City Plan Major update 2 amendment package.
Council's endorsement to commence the statutory process for Major update 2 will be sought in April 2017.

16 CONCLUSION

Specific updates to City Plan resulting from the following items are recommended:

a. Access way criteria for battle-axe subdivisions;

b. Two Supply System area overlay;

c. Mapping calibration and policy alignment; and

d. Localised mapping improvements.

Officers recommend inclusion of the four (4) items listed above as part of the scope for Major update 2.

17 RECOMMENDATION

It is recommended that Council resolves as follows:

1 That the report be deemed non-confidential except for those parts deemed by the Chief Executive Officer to remain confidential in accordance with sections 171 (3) and 200 (5) of the Local Government Act.

2 The City Plan be updated to include the following policy outcomes:

   a. Include new provisions in the Reconfiguring a lot code to manage access handles and easements.

   b. Update the Water catchments and dual reticulation overlay maps to include the Two Supply System area policy position.

   c. Update mapping to:

      i. change all landings to ‘unzoned’ property;

      ii. change all Council owned access restriction strips to Special purpose zone; and

      iii. make consequential changes as required to ensure City Plan mapping is calibrated to the new zonings

   d. Update mapping of a previously owned Energex property located in Ridgeway Avenue, Southport to be consistent with the surrounding mapping designations.

3 The policy changes set out in item 2 be included as part of the scope for Major update 2 and the Chief Executive Officer be authorised to make any administrative or consequential modifications to these items.

4 That the proposed changes and final drafting to the City Plan be brought back to the City Planning Committee for endorsement prior to submission for State interest review.

Author: Nina Hering
Planner: 22 February 2016

Authorised by: Dyan Currie
Director Planning & Environment