



Hon Jeff Seeney MP

Deputy Premier

Minister for State Development, Infrastructure and Planning

Our ref: MC13/4188
TT281113

Your ref: MS#42041555

15 APR 2014

Councillor Tom Tate
Mayor
Gold Coast City Council
PO Box 5042
GOLD COAST MAIL CENTRE QLD 9729

Dear Councillor Tate

Thank you for your letter of 25 November 2013 providing the draft Gold Coast City Plan 2015 for state interest review and consideration for approval to publicly consult.

The Department of State Development, Infrastructure and Planning (DSDIP) have assessed the draft city plan in terms of compliance with the *Sustainable Planning Act 2009* and the Statutory Guideline - making and amending local planning instruments.

I am pleased to advise that council may proceed to publicly notify the draft city plan, as submitted under covering letter of 25 November 2013. This approval is subject to the enclosed conditions which are to be addressed within the specified timeframes.

In addition to the enclosed conditions, I require further justification regarding council's policy direction for the centres hierarchy within the draft plan. I specifically require justification addressing the downgrading of Robina. This justification is to be provided when you seek approval to adopt the proposed planning scheme.

Council will be separately provided with the legislative requirements that must be addressed, and best practice advice about aspects of the draft plan, that could be amended to better reflect the Queensland Government's interests in land use and development planning.

I acknowledge the State Planning Policy (SPP), including associated guidance material and mapping, has been finalised and was in force from 2 December 2013. DSDIP will continue to work closely with council to assist with the integration of the SPP into the draft city plan. I further acknowledge your withdrawal of amendment package 7 to the *Gold Coast Planning Scheme 2003*.

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With respect to the outstanding ministerial direction of 17 February 2009 relating to Planning Scheme Policy 18, I am satisfied the draft city plan adequately addresses the requirements of the ministerial direction. As such, upon adoption of the draft city plan, I will determine the outstanding ministerial direction has been satisfied.

If you require any further assistance, please do not hesitate to contact my office.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jeff Seeney', written in a cursive style.

JEFF SEENEY MP
DEPUTY PREMIER
Minister for State Development, Infrastructure and Planning

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MINISTERIAL CONDITIONS TO GOLD COAST CITY COUNCIL PURSUANT TO SECTION 117 OF THE SUSTAINABLE PLANNING ACT 2009

Pursuant to section 117 of the *Sustainable Planning Act 2009*, I hereby advise the Gold Coast City Council that it may proceed to publicly notify the draft Gold Coast City Plan 2015, as submitted under covering letter of 25 November 2013. This decision is subject to the following conditions:

1. Prior to public notification, amend Strategic Framework Map 5 and Extractive Resources Overlay Map 1-4 to appropriately protect key resource areas within the draft plan by:
 - a) Removing the former KRA64 Charlies Crossing;
 - b) Identifying the amended resource/processing area and amended separation area for KRA65 Jacobs Well (Deposit B);
 - c) Identifying the transport routes and transport route separation areas between the Pacific Motorway and Pimpama Jacobs Well Road (Wharf Road and Mirambeena Drive);
 - d) Identifying the amended resource/processing area for KRA68 Oxenford;
 - e) Identifying the separation area for KRA69 Stapylton;
 - f) Identifying the separation area for KRA70 West Burleigh; and
 - g) Identifying the amended resource/processing area for KRA96 Reedy Creek.
2. Prior to public notification, amend zoning maps (ZM1, ZM2, ZM3, ZM6, ZM8, ZM12, ZM17, ZM22 and ZM32), to remove the Extractive Industry - Indicative Buffer hatching from all zoning maps, with the exception of map ZM6, where council may retain an indicative buffer immediately adjoining Lot 11 and 900 on SP127985.
3. Prior to public notification, delete the Editor's note in relation to 'indicative separations areas' in Section 3.5.5 of the Strategic Framework (Element - Natural Resources) and the associated 'Note' contained below PO3 in Table 6.2.16-2 of the Extractive Industry Zone Code.
4. Prior to notification, remove all "Road Requirement Lines" from Zoning Maps (ZM0 - ZM44), where not associated with a local government road requirement.
5. Prior to notification, remove the Integrated Regional Transport Corridor 'IRTC' from Strategic Framework Map 6 - Integrated Transport.
6. Prior to notification, amend Zoning Maps (ZM2, ZM7, ZM8, ZM14, ZM18, ZM22 and ZM26), to remove the Special purpose zoning for all land within the Integrated Regional Transport Corridor (IRTC) and zone the land to align with adjoining properties.

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7. Prior to public notification, amend PO14, AO14 and AO15 of 8.2.4 Coastal Erosion Hazard Overlay Code to remove any requirement for land to be dedicated to the Crown.
8. Prior to public notification, amend the strategic framework as outlined below:
 - a) In section 3.5.2.1, amend Specific Outcome (8) by removing the following *“but do not include special industry areas as these uses are not to establish in the City Plan area”*;
 - b) In section 3.8.1, remove Strategic Outcome (12); and
 - c) In section 3.8.6.1, remove Specific Outcome (7).
9. Prior to public notification, amend Part 5 Tables of Assessment (5.5 Levels of Assessment - Material Change of Use and 5.10 Levels of Assessment - Overlays), Part 6 Zones and Part 8 Overlays to address conflicts between the specific outcomes in section 3.3.4 and 3.3.5 of the strategic framework and lower order provisions within the planning scheme to facilitate and support new communities and special management areas.
10. Prior to public notification, amend the draft plan for development which is core to, ancillary to or directly associated with the development of an existing and operational tourist attraction, including:
 - a) amend Part 3.5.4 - Element - Tourist Economy, to implement the objective of reducing regulatory burden and streamlining assessment for existing and operational tourist attractions
 - b) make necessary amendments to Table 5.5.13: Material Change of Use - Major Tourism Zone to exempt Material Change of Use for tourist attraction and the following uses if ancillary to a tourist attraction:
 1. indoor sport and recreation
 2. outdoor sport and recreation
 3. major sport, recreation and entertainment facility
 4. food and drink outlet
 5. hotel
 6. theatre
 7. shop.
 - c) amend Table 5.10.16: Potential and actual acid sulfate soils overlay to read *“No change to the level of assessment if not otherwise specified above or for Tourist and entertainment activities in the Major tourism zone where in accordance with a council approved acid sulfate soils management plan.”*
 - d) make necessary amendments to the draft plan to exempt Operational Works development in the Major Tourism Zone.

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11. Prior to adoption, amend Part 3 Strategic Framework and Part 8 Overlays (8.2.12 Nature Conservation Overlay Code and associated Overlay Maps) to identify and facilitate the protection of matters of state environmental significance.
12. Prior to adoption, amend 8.2.3 Bushfire Hazard Overlay Code and associated overlay mapping and SC6.3 City Plan policy – Bushfire management plans to include provisions that seek to achieve an acceptable or tolerable level of risk, based on a fit for purpose natural hazards study and risk assessment.
13. Prior to adoption, delete the note listed in Acceptable Outcome (8) of section 9.4.11 Transport Code.
14. Prior to adoption, amend 8.2.2 Airport Environs Overlay Code and associated overlay mapping to identify aviation facilities within the Gold Coast local government area and reflect the *SPP Code: Strategic airports and aviation facilities* (Appendix 4 of the SPP) or similar development assessment requirements.
15. Prior to adoption, amend the planning scheme to include the *SPP Code: Ship-sourced pollutants reception facilities in marinas* (Appendix 1 of the SPP) or similar development assessment requirements.
16. Prior to adoption, amend the planning scheme to ensure adequate front boundary setbacks are maintained to all properties with frontages to Ferry Road, Southport between Energex’s Bundall Substation (Lot 1, 2 and 3 on RP89651) and Southport Substation (Lot 1 on RP801646 and Lot 893 on SP191060) that directly abut the existing 110kV overhead power lines, through the following performance outcome and acceptable outcomes:

Performance Outcome

Development does not compromise the integrity, functionality, access to or efficient delivery of the electricity corridor.

Acceptable Outcome

Front boundary setbacks are as follows:

 - a) Medium Density Residential Zone – 4 metres (where the building height is no greater than 9.5 metres or 2 storeys), otherwise 6 metres.
 - b) Mixed Use, Neighbourhood Centre and Centre Zones – 2 metres (where the building height is no greater than 9.5 metres or 2 storeys), otherwise 6 metres.

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17. Prior to adoption, amend Strategic Framework Map 7, the Water Catchments and Dual Reticulation Overlay Map and other relevant parts of the planning scheme to identify and protect bulk water supply infrastructure and major electricity infrastructure.

18. Prior to adoption, identify water supply buffer areas within the draft plan and amend 9.4.4 Healthy Waters Code to reflect the specific outcomes and measures contained in the Seqwater Development Guidelines: *Development Guidelines for Water Quality Management in Drinking Water Catchments 2012* or similar development assessment requirements.

Dated this *14TH* day of *APRIL* 2014



JEFF SEENEY MP
DEPUTY PREMIER

Minister for State Development, Infrastructure and Planning