ATTACHMENT 2 – PROPOSED CITY PLAN MAJOR AMENDMENT

Introduction

The following document details the proposed changes to the current version of City Plan 2018 (version 9).

Only enough of the scheme has been reproduced 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 City Plan.

Any consequential amendments required to formatting, numbering etc. will be undertaken as required and will not be specifically noted in the amendments below.

Conventions

In this document all proposed changes to 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 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.

Part 5 Tables of Assessment

Table 5.4.1—Low density residential zone

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Dwelling House	~~**Accepted**~~	
	~~**If not accepted subject to requirements**~~	
	Accepted subject to requirements Editor's note—Dwelling houses not complying with the relevant acceptable outcomes will require a concurrence agency referral to Council under Schedule 9 of the Regulation.	
	~~If in precincts LDR1, LDR2, LDR3, LDR4 or LDR5.~~	Low density residential zone code Secondary dwelling code

Table 5.4.2 - Low-medium density residential zone

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
~~**Dwelling House**~~ **Park** **Sales office** **Landing** **Editor's note – Landings are regulated as prescribed tidal works under the *Coastal Protection and Management Act*** **Dwelling House**	**Accepted**	
	Accepted subject to requirements Editor's note—Dwelling houses not complying with the relevant acceptable outcomes will require a concurrence agency referral to Council under Schedule 9 of the Regulation.	
		Secondary dwelling code

Table 5.4.3 - Medium density residential zone

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
~~**Dwelling House**~~ **Park** **Sales office** **Landing** **Editor's note – Landings are regulated as prescribed tidal works**	**Accepted**	

under the *Coastal Protection and Management Act*		
Dwelling House	**Accepted subject to requirements**	
		Secondary dwelling code

Table 5.4.5 - Character residential zone

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Cropping **~~Dwelling House~~** **Park** **Sales office** **Landing** **Editor's note – Landings are regulated as prescribed tidal works under the *Coastal Protection and Management Act*** **Dwelling House**	**Accepted**	
	Accepted subject to requirements Editor's note—Dwelling houses not complying with the relevant acceptable outcomes will require a concurrence agency referral to Council under Schedule 9 of the Regulation.	
		Secondary dwelling code

Table 5.4.6 - Tourist accommodation zone

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
~~Dwelling House~~ **Park** **Sales office** **Landing** **Editor's note – Landings are regulated as prescribed tidal works under the *Coastal Protection and Management Act*** **Dwelling House**	**Accepted**	
	Accepted subject to requirements	
		Secondary dwelling code

Table 5.4.14 - Environmental management zone

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Dwelling House Caretaker's accommodation Dwelling Unit	**Accepted subject to requirements**	
	If no more than one dwelling of any kind on the lot Note – A dwelling house containing a secondary dwelling will still be taken to be one dwelling	Secondary dwelling code

Table 5.4.21 - Emerging community zone

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Dwelling House Caretaker's accommodation Dwelling Unit	**Accepted subject to requirements**	
	If no more than one dwelling of any kind on the lot Note – A dwelling house containing a secondary dwelling will still be taken to be one dwelling	Secondary dwelling code

Table 5.4.22 - Rural zone

Use	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Animal husbandry ~~Dwelling House~~ Environment facility Park Sales office Telecommunications facility Landing Editor's note – Landings are regulated as prescribed tidal works under the *Coastal Protection and Management Act*	**Accepted**	
Dwelling House	**Accepted subject to requirements**	
		Secondary dwelling code

Table 5.6.1 Building work

Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Low density residential zone	~~**Accepted**~~	
	~~If not accepted subject to requirements~~	
	Accepted subject to requirements Editor's note—Building work for dwelling houses not complying with the relevant acceptable outcomes will require a concurrence agency referral to Council under schedule 9 of the Regulation, or trigger a code assessable Building Work Assessable Against the Planning Scheme application. Refer to the editor's notes in Table 6.2.1.3.1 and Table 9.2.4.3.1 for further clarification. Editor's note—Some of the acceptable outcomes ~~for detached houses~~ in the Low density residential code and secondary dwelling code are alternative provisions to the Queensland Development Code.	
	If 1. a dwelling house ~~in precincts LDR1, LDR2, LDR3, LDR4 or LDR5~~; or 2. a dual occupancy in precinct LDR5.	Low density residential zone code Secondary dwelling code
Low medium density residential zone **Medium density residential zone** **Character residential zone** **Tourist accommodation zone** **Environmental management zone** **Rural zone** **Emerging community zone**	**Accepted subject to requirements** Editor's note—Building work for dwelling houses not complying with the relevant acceptable outcomes will require a concurrence agency referral to Council under schedule 9 of the Regulation, or trigger a code assessable Building Work Assessable Against the Planning Scheme application. Refer to the editor's notes in Table 9.2.4.3.1 for further clarification. Editor's note—Some of the acceptable outcomes in the secondary dwelling code are alternative provisions to the Queensland Development Code.	
	Dwelling House	Secondary dwelling code
Accepted development		
Any other building work not listed in this table.		

Editors Notes -

Editors Note - The above categories of development and assessment apply unless otherwise prescribed in the Regulation.

Part 9 Development codes

9.2 Use codes

9.2.4 Secondary dwelling code

9.2.4.1 Application

This code applies to secondary dwellings where the code is identified as applicable in the tables of assessment.

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

9.2.4.2 Purpose

1) The purpose of the secondary dwelling code is to manage the impacts of secondary dwellings.
2) The purpose of the code will be achieved through the following overall outcomes:
    a. A secondary dwelling does not unduly affect the amenity of the surrounding area;
    b. A secondary dwelling is subordinate to another dwelling on a lot;
    c. Development of a secondary dwelling is consistent with the density and character of the surrounding established neighborhood.
    d. Development of a secondary dwelling provides good residential design that promotes the efficient use of a lot, an acceptable amenity to residents, and facilitates off street parking.

9.2.4.3 Secondary dwelling code – Specific benchmarks for assessment

Table 9.2.4.3.1 – Benchmarks for development that is accepted subject to requirements and assessable development

Performance outcomes	Acceptable outcomes
For development that is accepted subject to requirements and assessable development	
Secondary dwellings	
PO1 Secondary dwellings are subordinate in size and function and ancillary in appearance to the principal dwelling house on the same lot.	**AO 1.1** The gross floor area of a secondary dwelling is not to exceed: - 85m^2 where the lot size is less than 1000m^2; or - 112m^2 where the lot size is 1000m^2 or more; or - 160m^2 where the lot is zoned rural and the lot size is 6,000m^2 or more. Editor's note – Acceptable outcome AO 1.1 is not an alternative provision for the purpose of the Queensland Development Code. Where building work for a dwelling house does not meet the acceptable solution, a code assessable Building Works Assessable Against the Planning Scheme application will be triggered.
PO2 A secondary dwelling complies with the relevant Performance Criteria of the Queensland Development Code part MP1.1 or MP1.2, for which the Acceptable Solution is not met.	**AO 2.1** A secondary dwelling complies with all the Acceptable Solutions specified in the Queensland Development Code part MP1.1 or MP1.2 (the part that applies will depend on the size of the lot). Note – The Queensland Development Code MP1.1 and MP1.2 provisions only apply to single detached dwellings. For the purpose of this acceptable outcome and related performance outcome, the provisions of the Queensland Development Code apply to secondary dwellings, whether attached to or detached from the principal dwelling on the lot.

	Editor's note – This acceptable outcome is an alternative provision for the purposes of the Queensland Development Code. Building works for a dwelling house not complying with this acceptable outcome will require a concurrence agency referral to Council under schedule 9 of the Regulation.