

**Consultation Report for
04/20 - Major Amendment -
Medium Density Residential Zone Code Review and
Planning Scheme Policy 7 – Multiple Dwelling
Design**

Prepared by Redland City Council
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Introduction

At its General Meeting on 21 July 2021, Council resolved to commence public consultation of:

- Major Amendment Package (04/20) – Medium density residential zone (MDR) code review (the amendment); and
- Planning Scheme Policy 7 – Multiple Dwelling Design (the policy).

The amendment was prepared based on the recommendations of a review of the MDR zone code and testing by independent planning and economic consultants.

This report summarises the consultation activities undertaken for the amendment; and provides a summary of the key issues raised in submissions, officer responses and recommendations.

Background

In January 2020, Council resolved to undertake a review of the design and built form outcomes being approved under the assessment criteria of the MDR zone code of City Plan.

The review was to allow Council to consider whether the changes made to the assessment provisions of the MDR zone code in the drafting of City Plan were achieving the intent of the zone, including design outcomes and liveability to the community's expectations.

The MDR zone code review involved the following key activities:

- Spatial analysis of the MDR zone in terms of total area, lot size, proximity to high-frequency public transport and centres and identification of lots currently undeveloped for multiple dwellings.
- Review of the performance and acceptable outcomes of the MDR zone code to ensure they were coordinated, comprehensive and worked together.
- Review of approved multiple dwelling applications since the commencement of City Plan on 8 October 2018 to identify/confirm built form and design outcomes that required improvement.
- Review of other MDR zone codes in South East Queensland (SEQ) to identify alternative medium density assessment frameworks and assessment criteria benchmarks to guide changes to the MDR zone code. The review focused on the Brisbane City Council (BCC), Logan City Council (LCC), City of Gold Coast (CGC) and Moreton Bay Regional Council (MBRC) planning schemes.

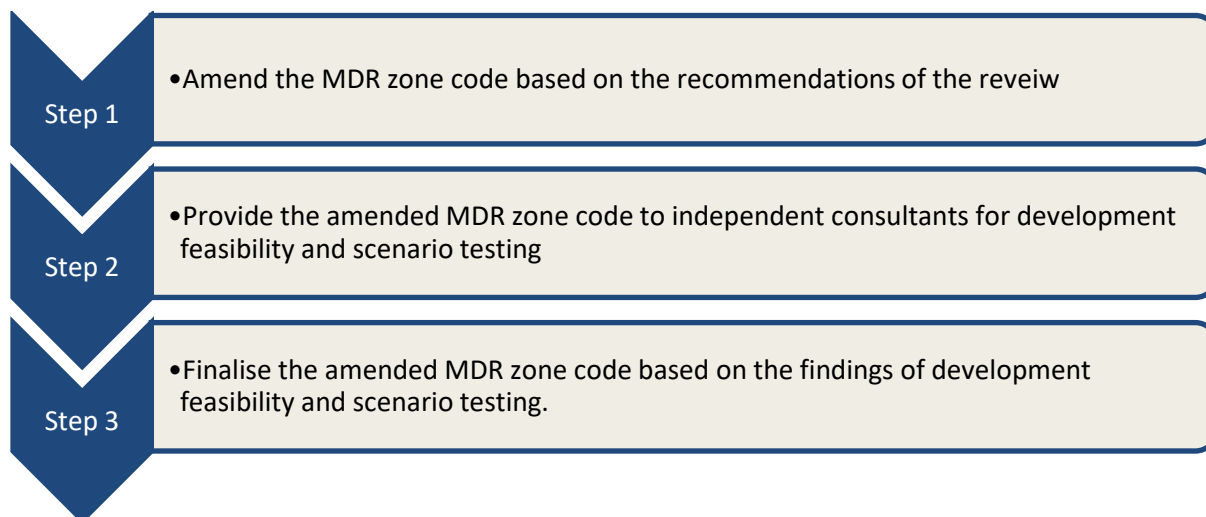
The MDR zone code review was completed and its findings and recommendations were reported to Council in May 2020. The key recommendations were:

- 1 – Improve coordination of MDR zone assessment criteria to ensure they work collectively together to deliver high-quality medium density development outcomes.
- 2 – Refine existing MDR zone code performance and acceptable outcomes to address a number of identified issues related to site cover (building footprint), building setbacks from boundaries, communal and private open space outcomes, landscaping and deep planting outcomes and, car parking and waste storage areas.
- 3 – Introduce new MDR zone code assessment criteria in relation to apartment dwelling diversity, freehold titling of townhouses, building size and site analysis.
- 4 – Incorporate the Multiple Dwelling Design Guide into City Plan by integrating its design elements into the MDR zone code, new assessment criteria that medium density development is designed to respond to the site and character of the neighbourhood and conversion of the design guide into a Planning Scheme Policy.

- 5 – Include new administrative definitions into City Plan, particularly to differentiate townhouse and apartment housing to recognise these housing forms and different and require distinct assessment criteria.
- 6 - Align the low-medium density residential (LMDR) and tourist accommodation (TA) zone codes with the revised MDR zone code where required.

In response, Council resolved to note the findings and recommendations of the review and prepare an amendment to City Plan supported by independent scenario testing and a development viability assessment.

The amendment was subsequently prepared using the following three-step process:



Following preparation of the amendment and independent testing, it was then presented to Council in November 2020. In response, Council resolved to submit the amendment to the Planning Minister for state interest review and approval to commence public consultation.

The Planning Minister provided approval for public consultation of the amendment in June 2021. This followed minor revisions being made to the amendment to address state interest review comments. The minor revisions were approved by Council in March 2021.

Public consultation

At its General Meeting on 21 July 2021, Council resolved to commence public consultation of the amendment.

The public consultation was undertaken from 4 August to 16 September 2021.

Public consultation on the amendment and supporting policy documents was undertaken in line with a communications strategy that met the statutory public notification requirements set out in the *Planning Act 2016* and the *Minister's Guidelines and Rules*. This included placing a public notice in the Redland City Bulletin on 4 August 2021.

A media release on the amendment was published on Council's website as well as the Redland City Bulletin.

The communications strategy also included public consultation measures that exceeded statutory requirements to respond to potential Covid-19 restrictions on public consultation activities. These included:

- Exceeding the public consultation period required under the *Planning Act 2016* by 10 business days, providing a public consultation period of 30 business days.

- Providing opportunities for key stakeholders to contact the strategic planning team via online platforms.
- Establishing an amendment '*Your Say*' webpage that included the amendment and policy documents, information on the amendment including fact sheets outlining the MDR review and each of the key recommendations, the independent scenario and development feasibility testing reports and the ability to lodge an online submission.
- In addition to being able to lodge online submissions, the '*Your Say*' web page also included an optional survey function where an online submitter could nominate which of the MDR review recommendations they agreed or disagreed with.

Overview of submissions

At the end of the public consultation period, Council had received 105 formal submissions. Of those submissions, 94 were received via the online submission form on the '*your say*' webpage and 11 were received via the corporate mailbox (either by email or in hard copy format).

The '*Your Say*' webpage relating to the amendment and policy had received 694 visits with 337 document downloads demonstrating the support it provided to submitters and the wider community. Most of the 94 submissions lodged online used the optional survey function nominating one or more of the MDR review recommendations as best addressing their submission. This is discussed further below.

Of the 105 submissions, the majority (94) were from individuals, with the balance of submissions (11) from either community or industry groups.

Industry groups included:

- Property Council of Australia (PCA).
- Urban Development Industry Association (UDIA).
- Fiteni Properties.

Community groups included:

- Redlands Coast Chamber of Commerce,
- Wildlife Queensland Bayside Branch,
- Redlands2030,
- National Trust of Australia (Qld) Redlands Branch,
- Koala Action Group,
- Community Alliance for Responsible Planning (CARP) Redlands Incorporated,
- Redlands Probus Club,
- Friends of the Black Swamp (Bushcare Group).

The majority of submissions support the changes to City Plan proposed by the amendment, with 70 of the 105 (67%) submissions clearly indicating support for the amendment and policy. This included all community groups except for one.

As discussed below, the level of support may however be higher based on the optional survey function.

Four of the 105 (4%) submissions raised some level of objection to the amendment or specific elements of the amendment while supporting other elements. This included all industry submissions and one community group submission. The key objection made in these submissions primarily related to proposed changes to the building envelope (site cover, building height and building setbacks)

acceptable outcomes, which were considered as a potential discouragement to the development of apartments in the MDR zone.

The remaining balance of 31 submissions either:

- Provided written comments that did not clearly support or object to the amendment (24 submissions); or
- Did not provide any written comments (seven submissions), but instead nominated one or more of the MDR amendment recommendations through the '*your say*' optional survey function.

Many of the submissions (approximately 65) expressed concern with the direction of development in the Redlands about population growth, increased housing density, development being unattractive, loss of residential amenity, loss of open space and natural areas (including wildlife corridors) and increased traffic and pollution. Several submissions also noted that infrastructure has not kept pace with population growth and development, with road infrastructure and associated traffic being a particular concern.

The submissions assert that these issues appear to be having an overall negative impact on the city's lifestyle, liveability, unique character and natural environment.

Several submissions, particularly from community and industry groups, requested additional changes be made or that the specific proposed changes be revised. Key requests included:

- Either a greater reduction of site cover acceptable outcome to 40% or an increase to 65% to 75%.
- Specific acceptable outcomes for freehold townhouses in terms of site cover and building setbacks.
- Maintaining the current maximum building height acceptable outcome.
- Greater community involvement in medium density development through increasing the level of assessment for this form of development to impact assessment.
- Re-introduction of a dwelling density outcome.

It is important to note that the industry submissions that objected to elements of the amendment, only focused on proposed changes to the acceptable outcomes rather than the performance or overall outcomes. This indicates that the industry is seeking certainty of development outcomes that meet their expectations through the acceptable outcomes.

In this regard, it should be noted that acceptable outcomes are not prescriptive requirements. The assessment of code assessable development is against the performance and overall outcomes of the relevant assessment codes, not against the acceptable outcomes. Instead, the acceptable outcomes provide a deemed-to-comply option for development, where adopting a specific acceptable outcome will automatically comply with the associated performance outcome. This is the essence of performance based planning and highlights the importance of well drafted performance and overall outcomes that clearly state the intended outcomes for development.

'Your say' optional survey

As mentioned above, the '*Your say*' webpage included an optional online survey function where an online submitter could nominate one or more of the MDR review recommendations that best addressed their submission from a list of six recommendations provided.

Out of the 94 online submissions made through the '*your say*' webpage, 88 submissions used the optional survey function. This resulted in the following nominations for each of the key recommendations.

- 78 nominations for recommendation 1 – Improve coordination of MDR zone assessment criteria to ensure they work collectively together to deliver high-quality medium density development outcomes.
- 83 nominations for recommendation 2 – Refine existing MDR zone code performance and acceptable outcomes to address a number of identified issues related to site cover (building footprint), building setbacks from boundaries, communal and private open space outcomes, landscaping and deep planting outcomes and, car parking and waste storage areas.
- 80 nominations for recommendation 3 – Introduce new MDR zone code assessment criteria in relation to apartment dwelling diversity, freehold titling of townhouses, building size and site analysis.
- 85 nominations for recommendation 4 – Incorporate the Multiple Dwelling Design Guide into City Plan by integrating its design elements into the MDR zone code, new assessment criteria that medium density development is designed to respond to the site and character of the neighbourhood and conversion of the design guide into a Planning Scheme Policy.
- 76 nominations for recommendation 5 – Include new administrative definitions into City Plan, particularly to differentiate townhouse and apartment housing to recognise these housing forms and different and require distinct assessment criteria.
- 73 nominations for recommendation 6 - Align the LMDR and TA zone codes with the revised MDR zone code where required.

Most of the 24 online submissions that did not provide clear written support or objection for the amendment nominated one or more of the above recommendations. This is in addition to the seven online submissions that did not provide any written comment but used the survey instead.

These submissions may have considered that nominating one or more recommendations indicated support for the changes proposed by the amendment. This means that the level of support for the amendment may potentially be higher than the 70 submissions that indicated clear support.

The above nominations show that the majority of the 88 submissions nominated all recommendations indicating all are equally important and no one recommendation was seen as a key priority.

Summary of key issues

This report provides a summary of the key issues or themes raised in the submissions that are relevant to the changes proposed by the amendment. This report does not document every individual issue but provides a consolidation of the key issues raised in the submissions.

The following table provides a summary of the key issues or themes raised by submissions, with an officer response and recommendation for each key issue.

Where a change is recommended, it is proposed to be made in the MDR zone code as well as the LMDR and TA zone codes where relevant.

Submission/s summary	Officer comments	Officer Recommendation
Theme 1: Support for the amendment		
The submissions that provided clear support for the amendment indicated a range of grounds: • The proposed changes to scale, bulk and height (building envelope – site cover, building height and setbacks) promotes medium density development more acceptable to the wider Redlands community being more consistent with the character, lifestyle and liveability of the City. • The proposed changes to site cover and building setback assessment criteria: ○ Provides for buildings that are more aesthetically pleasing. ○ Supports the retention of existing vegetation and provides for a greater area and variety of landscaping opportunities, including medium to large shade trees and native vegetation for wildlife. ○ Reduces the number of dwellings per site than is currently permitted to a more acceptable level. ○ Provides for properly spaced buildings with fewer apartments per block than is currently permitted. ○ Increased space between buildings to buffer the street and neighbouring properties to protect residential amenity. ○ Provides for natural light and breezes. ○ Increased building setbacks will increase visual amenity. ○ Contributes to a greener and cooler Redlands which is important with the heat island effect in a warming climate. ○ Is more aesthetically pleasing which supports community well-being. ○ Provides for more communal open space to benefit residents and the neighbourhood.	The grounds in support of the amendment are acknowledged. The following additional changes to the MDR zone code requested in these submissions are discussed in other sections of this report: • Reduction in site cover from 50%-55% to 40%. • Inclusion of dwelling density assessment criteria. • Public consultation in development assessment of multiple dwelling development.	That the comments be noted.

Submission/s summary	Officer comments	Officer Recommendation
○ Increases permeable areas for stormwater filtration to manage stormwater quality and quantity. ○ Provides for natural light and breeze. ● Reducing the overall building height by 1.5m or more. ● Requiring multiple dwelling developments to provide a mix of dwelling sizes supports a broader range of household types. ● Improved design outcomes for facades will reduce the visual bulk of buildings. ● Increasing the size of communal open space and requiring it for more medium density development provides positive benefits to residents and neighbourhoods. ● Sub-tropical design principles (including passive solar principles) should be incorporated into the design of multiple dwellings, including cross-flow ventilation and increased natural light in habitable rooms. ● Medium density development should be designed to respond to the site characteristics and character of the surrounding neighbourhood. ● A more varied roof design will make positive changes to visual amenity. ● Strengthening the role of the Multiple Dwelling Design Guide in development assessment to improve design outcomes and the visual appearance of new developments across the City. ● Car parking should be contained in the building footprint, landscaped and screened from view. ● Waste and recycling storage should be located in the building footprint and screened from view to mitigate adverse impacts on adjoining residents. ● Reducing dwelling density will assist infrastructure networks in managing increasing demand.		

Submission/s summary	Officer comments	Officer Recommendation
In addition, a number of the submissions made in support also requested additional changes to the amendment, such as: • Reducing site cover from 50%-55% to 40%. • Inclusion of dwelling density assessment criteria. • Greater community involvement, particularly nearby impacted residents, in the development assessment process by making more development subject to impact assessment.		
Theme 2: Development direction in Redlands		
Many of the individual and community group submissions expressed concern with the direction of development in the Redlands about population growth, increased housing density, development being unattractive, loss of residential amenity, loss of open space and natural areas (including wildlife corridors) and increased traffic and pollution. Many submissions also considered that infrastructure has not kept pace with population growth and development, with road infrastructure and associated traffic being a particular concern.	Council in January 2020 recognised the need to undertake a review of the MDR zone code to consider whether the assessment criteria in City Plan were achieving design and liveability outcomes consistent with the community's expectations. The MDR zone code review has focused on ensuring land already zoned for medium density development delivers a high-quality built form consistent with the city's character and lifestyle and with community views and expectations. The review undertaken has not identified any planning need to increase the amount of MDR zoned land in the city. It also confirmed that MDR zoned land was generally well-located to high-frequency public transport and centres and proximity to centres. The delivery of medium density development that is consistent with the city's character and community views and expectations is essential to support and contribute to the following broad planning objectives: • Providing sufficient housing for the growing Redland City community within a contained settlement pattern which assists in protecting open space and natural areas of the city; • Providing a diversity of housing to support housing choice and affordability and meet the diverse and changing needs of the community; and	That the comments be noted.

Submission/s summary	Officer comments	Officer Recommendation
	Supporting the viability of high-frequency public transport services and the economic viability of centres.	
Theme 3: Community consultation in development assessment		
Submissions from individuals included calls for greater community consultation into development proposals for medium density development.	City Plan currently provides for multiple dwelling development (apartments and townhouses) as a code assessable use unless the building height limits are exceeded. In such circumstances, the level of assessment is elevated to impact assessable and subject to community consultation and appeal rights. The Queensland planning framework has, over time, moved from a general presumption of impact assessment and public notification for significant development like medium density developments to code assessment. This has been driven, in part, to support the efficient assessment of development that is consistent with the intent of a zone. <i>“Code assessment helps deliver expected development without undue delay. For example, a proposal for a multiple dwelling unit in a medium density residential zone is likely to be categorised as code assessable because the community expects this sort of development to occur in these places. The applicant still needs to demonstrate how the proposal complies with the provisions set out in the assessment benchmarks (e.g. size of a building, number of storeys, how set back it is from the road, noise management etc.).”</i> (Dept. of State Development – “Categories of Development”) City Plan is required to comply with the State Planning Policy. The State Planning policy requires that development that is consistent and in accordance with the intent of the zone and able to be assessed against assessment benchmarks should be code assessable development. Impact assessment can only be used for development that is contrary to the intent of the zone. Exceptions to code assessment are however made where exceedance of an assessment level 'trigger', usually in the form of a nominated quantitative benchmark, pushes development into the impact assessment process.	That the comments be noted.

Submission/s summary	Officer comments	Officer Recommendation
	For example, as mentioned above, medium density development that exceeds the maximum building height is subject to impact assessment. This approach to ensuring efficient development assessment processes, places a greater emphasis on community consultation and involvement in plan making, including this amendment to City Plan, to ensure the assessment criteria are generally reflective of community expectations, while at the same being economically viable to deliver. Based on the above, it is considered that the existing code assessment level of assessment for multiple dwelling development in the MDR zone remains appropriate, except where the nominated building height, in metres and storeys, is proposed to be exceeded.	
Theme 4: Dwelling density acceptable outcome		
Some community group submissions raised concerns that development in the current MDR zone can be delivered at a dwelling density that is not appropriate for the City being between 160 and 180 dwellings/hectare (or about 1 dwelling/50-60m²). To address this, the submissions seek that the dwelling density outcomes from the MDR zone in the previous Planning Scheme be reintroduced which ensured density outcomes were a maximum of 35-40 dwellings/hectare (or about 1 dwelling/250m²) An overall density control similar to other SEQ planning schemes is seen to provide certainty to the community and development industry. The submissions note that the independent land supply study prepared for City Plan that supported forecast population used a dwelling density of 35-40 dwellings/hectare.	The previous Redlands Planning Scheme included a dwelling density acceptable outcome (called probable solution) that residential uses achieve a density of 1 dwelling unit per 200m² of site area or a site density of 50 dwellings/hectare within the MDR zone. Similar to City Plan, the previous probable solution however only provided an example of how to acceptably meet the corresponding performance outcome (called a specific outcome). If an application did not adopt the acceptable outcome of 1 dwelling unit per 200m², it then needed to address the specific outcome. The corresponding specific outcome required development to be compatible with medium density living while providing land for design elements including private and communal open space, resident and visitor parking, landscaping and maintaining a residential streetscape. If an application met these design outcomes it would be approved even if having a higher dwelling density than identified in the acceptable outcome.	That the comments be noted.

Submission/s summary	Officer comments	Officer Recommendation
	In preparing City Plan, the continued use of a dwelling density acceptable outcome in the MDR zone was not supported due to the following potential limitations: • Created unrealistic community expectations that development exceeding the density acceptable outcome would be refused. This was and continues to be the case under Queensland's performance based planning system. • Can stifle good design by placing an undue focus on dwelling density rather than ensuring that all design elements are met. • Discourages dwelling diversity as it encourages larger dwelling units. Instead, of using dwelling density, City Plan uses building envelope acceptable outcomes (building height, site cover and building setbacks) to meet the corresponding performance outcomes. Similar to the previous planning scheme, where an application does not adopt the building envelope acceptable outcomes that application must address the corresponding performance outcomes. The proposed site cover performance outcome, for example, includes a similar range of design requirements as the previous specific outcome for dwelling density, open space, landscaping etc. This demonstrates that even if a dwelling density acceptable outcome was included in the MDR zone code, it would be assessed against the same performance outcome design requirements as is proposed by the amendment if the dwelling density acceptable outcome was not adopted. The MDR review instead focused on ensuring the building envelope outcomes (building height, site cover and building setbacks) were better coordinated, benchmarked with other SEQ planning schemes and were consistent with the character of the Redlands. As part of the MDR zone code review, an analysis of approved multiple dwellings under City Plan was undertaken. The approvals included five multiple dwelling applications with an average site density of 1 dwelling/85m² of site	

Submission/s summary	Officer comments	Officer Recommendation
	area or 117 dwellings hectare. This indicates the dwelling density achievable under the current MDR zone code of City Plan. This current amendment proposes changes to the building envelope acceptable outcomes (building height, site cover and setbacks), including reducing site cover from up to 75% to between 50% and 55% depending on lot size. The independent scenario testing indicates that the proposed new acceptable outcomes provide for a site dwelling density of around: • 1 dwelling/180m² of site area for a townhouse or 55 dwellings/hectare. • 1 dwelling/100m² of site area for an apartment or 100 dwellings/hectare. It should however be noted that the above indicative dwelling density is based on the acceptable outcomes, which only provide an example of how to meet the corresponding performance outcome. It is noted that the Redland Land Supply Analysis 2014 used a site dwelling density of around 40 dwellings/hectare for MDR zoned land (>700m²) to provide an estimate of the dwellings and population that were likely to be accommodated on the available MDR zoned land. This dwelling density estimate is however considered to be a conservative estimate. It is further noted that some SEQ planning schemes include dwelling density for a variety of purposes from performance outcomes or acceptable outcomes to using density to determine whether a development is an assessable development or not. While other SEQ planning schemes, like City Plan, do not use density outcomes at all. For example, LCC, MBRC and CGC planning schemes include dwelling density outcomes while Brisbane City Council's planning scheme does not. For the SEQ planning schemes that include dwelling density as an acceptable outcome only, as are outlined above, this approach does not provide certainty on the outcome. For the planning schemes with dwelling density performance outcomes, these outcomes either provide a large range (for example 15-75	

Submission/s summary	Officer comments	Officer Recommendation
	dwellings/hectare) or require a minimum dwelling density to ensure efficient use of land rather than a maximum density.	
Theme 5: Objection to changes to the building envelope acceptable outcomes		
The three industry submissions provided support for the intent of the amendment to ensure City Plan provides a high-quality built form for multiple dwellings, consistent with the city's character to improve housing diversity and affordability to meet the housing needs of the changing and growing community. The industry submissions also strongly supported and commended Council for becoming one of the few local governments to include specific assessment criteria for townhouses on freehold lots. This responds to the State Governments' 'missing middle' initiative that is part of the SEQ Regional Plan to support greater housing diversity. Other elements of the amendment were also generally supported, like the proposed deep planting and subtropical design assessment criteria. Industry submissions, however, consider that changes to the built envelope acceptable outcomes (building height, site cover and boundary setbacks) will discourage medium density development, particularly apartment development. The industry submission focus on the acceptable outcomes rather than performance outcomes. This is explained in one industry submission as based on a perception that community and political concerns over increased residential density will lead to an erosion of performance based planning leading to a reliance on acceptable outcomes during the assessment process, which limits developers appetite and ability to consider the diverse housing types that the MDR code is seeking to facilitate.	<u>MDR zone code acceptable outcomes</u> The key issue raised in the industry submissions is that the changes proposed to the building envelope acceptable outcomes (site cover, building height and setbacks) will discourage or make unviable medium density development, particularly apartments. The building envelope sets the scale of medium density development in terms of the bulk and height of buildings. It is a three-dimensional envelope that defines how much of a site a building or buildings can occupy. The site cover acceptable outcome is important as it provides an example of how to meet the overall and performance outcomes for site cover. If an application adopts the acceptable outcome it is taken to meet the performance and overall outcomes and no further assessment is undertaken. For this reason, the acceptable outcomes must provide an example that can achieve the associated performance and overall outcome and be coordinated with other acceptable outcomes so that all acceptable outcomes can be achieved on a development site. There is no priority given to one acceptable outcome over another. It should also be considered that the acceptable outcomes need to be broadly acceptable to the wider community as public consultation has been limited in development assessment across Queensland to provide an efficient assessment process. The individual and community group submissions would appear to demonstrate that the current site cover acceptable outcome in City Plan is not acceptable to the wider community. <u>MDR zone code review</u>	That the comments be noted.

Submission/s summary	Officer comments	Officer Recommendation
The community group submission made in objection raised concerns that the amendment may harm investment in housing in the City (development pipeline) and the local employment this creates. This submission considered that the amendment will have a significant impact on the design and provision of 'missing middle housing', impacting the delivery of affordable and diverse housing in the City. The industry submission also included comments on other elements of the amendment including: • Communal open space assessment criteria. • Landscaping assessment criteria. • Strengthening the 800m² reconfiguration minimum lot size in the MDR zone. • Separate assessment criteria for townhouses and apartments. • Performance outcomes are overly prescriptive. • Apartment diversity assessment criteria. • Need to increase the range of non-residential uses. One of the industry submissions included a list of detailed specific comments, prepared by a planning consultant, requesting revisions to almost every change proposed by the amendment.	A key element of the MDR review was the operation of the performance and acceptable outcomes. This found many issues with the coordination of outcomes, the comprehensiveness of performance and acceptable outcomes and the inconsistent inclusion of acceptable outcomes based on building height. Relevant examples related to the coordination of building envelope outcomes (site cover, building height and building setbacks) include: • The performance outcome for site cover seeks to mitigate the scale and bulk of a building and provide substantial open space and landscaping. However, the acceptable outcome supports a site cover of 75% which supports a building of a scale and bulk that takes up the majority of a site rather than mitigating its scale and bulk and leaves insufficient space for substantial landscaping. • A range of design outcomes seeks to reduce the visual impact of the built form. This is, however, difficult to achieve when the site cover acceptable outcome supports a building of a scale and bulk that takes up the majority of a site. • The performance outcome for building height is for three storeys, except where in a precinct. However, the acceptable outcome has a maximum building height of 13 metres, which provides sufficient height for a four storey residential building. • The building setbacks (front, side and rear) and site cover acceptable outcomes cannot all be achieved. The site cover acceptable outcome of 75% is set too high to be able to achieve the building setback acceptable outcomes. Instead, it should be set at a level that allows a building to sit within the building setbacks. In addition, a review of other SEQ planning schemes has found that the site cover acceptable outcome in the MDR zone is significantly higher than those	

Submission/s summary	Officer comments	Officer Recommendation
	planning schemes, which are generally at 50% site cover for an acceptable outcome. The amendment proposes to address the above issues identified by the review by: • Ensuring the acceptable outcome for maximum building height does not support a four storey building to ensure it provides an example of how to meet the performance outcome which only supports a three storey building. • Ensuring the site cover and building setback acceptable outcomes can be achieved together by ensuring that the site cover sits within the building setbacks rather than exceeds them. • Incorporation of the proposed elements of the Multiple Dwelling Design Planning Scheme Policy relevant to the building envelope into the MDR zone code assessment criteria. • Making the site cover performance outcome more comprehensive to ensure development that does not adopt the acceptable outcome is assessed against a comprehensive set of outcomes. The new outcomes relate to site cover being: ○ Consistent with the intended medium density character of the area and immediate streetscape. ○ Providing useable open space for residents. ○ Supporting residential amenity and privacy for residents of the development and on neighbouring properties. ○ Supporting the retention of existing vegetation and providing for a greater area and variety of landscaping opportunities, including medium to large shade trees and native vegetation for wildlife. ○ Providing for natural light, sunlight and breezes to living and open space areas.	

Submission/s summary	Officer comments	Officer Recommendation
	To ensure the acceptable outcomes are coordinated and are achievable without the need to prioritise one outcome over another, several multiple dwelling scenarios (apartment and townhouse) were independently tested and refined based on the results of this testing. The scenario testing report was made available during the consultation of the amendment, however, no submissions directly commented on this report. Development feasibility testing was also independently undertaken on the proposed amendment to ensure the proposed changes did not make it unfeasible to re/develop MDR zoned land for medium density development (apartments and townhouses). The feasibility testing included several scenarios across different suburbs in the city and on a range of different sized sites, including sites close to the minimum proposed site area of 800m². It found that the proposed changes did not make it unfeasible to re/develop multiple dwellings but did note it was more challenging in suburbs where the dwelling sales price were lower and on sites close to the 800m² minimum. The findings of the development feasibility testing resulted in changes to the amendment to provide additional site cover on sites close to the minimum lot size of 800m² (55% rather than 50% on sites 800m² to 1,000m²). The development feasibility report was publicly available during the public consultation on the amendment. Submissions that question the feasibility of development under the proposed acceptable outcomes have not referred to this report or made any comment on it. It is important to note that both the scenario and feasibility testing could only be undertaken on the proposed acceptable outcomes of the MDR zone code as these outcomes include quantifiable measures that could be readily tested. The Queensland performance based planning system however requires that development be assessed against the overall and performance outcomes with the acceptable outcomes only providing an example of how to meet these higher order performance outcomes. This means there is flexibility for a developer to seek other multiple dwelling outcomes that are tailored to a	

Submission/s summary	Officer comments	Officer Recommendation
	specific site rather than identified in the acceptable outcomes, provided the overall or performance outcomes are met. This is well understood in the development industry. In summary, the proposed changes to the building envelope (site cover, building height and building setbacks) are based on the recommendations of the MDR zone code review that includes: • Improving the coordination of assessment criteria. • Incorporation of the proposed Multiple Dwelling Design Planning Scheme Policy. • Benchmarking with other SEQ planning schemes. • Independent scenario and development feasibility testing of acceptable outcomes. The above provides a body of evidence in support of the proposed changes to the building envelope acceptable outcomes. The industry submissions have not provided any evidence in support of their concerns over development feasibility or identified any concerns with the independent scenario and feasibility testing that supports the amendment in making their submissions. The submissions also have misinterpreted the changes proposed to building height as being a reduction in building height and the number of storeys supported rather than its purpose to better coordinate outcomes by closing a loophole where four storey buildings were being developed where intended for three storeys. This consultation report responds to the other key issues raised by these submissions in the following themes including further detail on building envelope outcomes in the site cover, building height and building setback themes.	

Submission/s summary	Officer comments	Officer Recommendation
Theme 6: Building height		
The industry group submissions have raised concerns with the proposed reduction in the building height acceptable outcome from 13m to 11.5m for a three storey building and 8.5m for a two storey building. The grounds provided include that the reduced building height acceptable outcome will: • Negatively impact the development viability of apartments. • It will reduce the potential scale of development from four storeys, which will impact density outcomes. • Reduces the potential housing yield for a site. • Limits good design outcomes in terms of roof design, design on sloping sites and providing a reduced building height close to adjoining lower density development. The industry submissions generally support retention of the current 13m building height acceptable outcome. Individual and community group submissions support the proposed reduction in the building height acceptable outcome to reduce the density of development and improve design outcomes.	Council's long-standing policy position is that medium density development (apartments and townhouses) in the MDR zone are a maximum of three storeys (unless in a precinct). This position is reflected in the current building height performance outcome. As part of the MDR zone code review, a review of applications approved under the current 13m building height acceptable outcome was undertaken. This found that apartment proposals for four storey buildings were approved because they adopted the 13m building height provided by the acceptable outcome despite the corresponding performance outcome providing for a maximum of three storeys (unless in a precinct). This illustrates the poor coordination that currently exists between the performance outcome that seeks a maximum of three storey buildings and the acceptable outcome that provides an example of the expected building height at 13m. To address this issue of poor coordination between the building height outcomes, the amendment proposes to reduce the acceptable outcome building height from 13m to 11.5m. An 11.5m acceptable outcome was considered sufficient for a three storey building but not a four storey building. An 11.5m acceptable outcome is also adopted by the BCC planning scheme for a three storey building. The industry submissions have however raised an important consideration that the expected building height should allow for good design outcomes, particularly with roof design. This is consistent with the overall intent of the MDR zone code review to improve the design outcomes of medium density development and its recommendation to coordinate outcomes, in this case, building height and roof design outcomes.	It is recommended that the MDR zone level of assessment and zone code building height tables be amended generally as per table 1 in this report to identify maximum building heights in storeys and metres.

Submission/s summary	Officer comments	Officer Recommendation									
	The industry submission highlights the need to reconsider the best approach to ensuring the building height outcomes are coordinated whilst still allowing for good roof design. An alternative approach is to include both an expected number of storeys at three and building height at 13m as the acceptable outcome. This approach ensures the acceptable outcome is consistent with the performance outcome in terms of the number of storeys while providing sufficient building height for a well-designed and varied roof. This approach would also need to be applied to the MDR precincts. Accordingly, it is recommended that the proposed acceptable outcome for building height be amended to identify both an expected building height and a maximum number of storeys as shown in the following table 6.2.3.3.2. This change will need to be made to both the table of building height in the MDR zone code and MDR tables of assessment. An editor's note is also recommended to be added to the relevant sections of the MDR zone code and MDR tables of assessment to refer to the <i>Planning Regulation 2017</i> for the definition of storey.										
Table 1 —Maximum building storeys and height <table border="1" data-bbox="568 1018 1700 1343"> <thead> <tr> <th colspan="2" data-bbox="568 1018 707 1129">Area</th><th data-bbox="1420 1018 1700 1129">Maximum Building Storeys and Height (m)</th></tr> </thead> <tbody> <tr> <td data-bbox="568 1129 707 1217">MDR1 MDR3</td><td data-bbox="707 1129 1420 1217">Parkland living, Capalaba Shore Street East, Cleveland</td><td data-bbox="1420 1129 1700 1217">6 storeys and 22m ~~20.5m~~</td></tr> <tr> <td data-bbox="568 1217 707 1343">MDR2 MDR4 MDR5</td><td data-bbox="707 1217 1420 1343">Mount Cotton Road, Capalaba Cleveland Esplanade, Redland Bay</td><td data-bbox="1420 1217 1700 1343">6 storeys and 19m ~~17.5m~~</td></tr> </tbody> </table>			Area		Maximum Building Storeys and Height (m)	MDR1 MDR3	Parkland living, Capalaba Shore Street East, Cleveland	6 storeys and 22m ~~20.5m~~	MDR2 MDR4 MDR5	Mount Cotton Road, Capalaba Cleveland Esplanade, Redland Bay	6 storeys and 19m ~~17.5m~~
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Submission/s summary			Officer comments	Officer Recommendation
	MDR7	Eprapah Creek, South East Thornlands	6 storeys and 16m ~~14.5m~~	
	MDR8	Kinross and Boundary Road	2 storeys and 8.5m	
	Elsewhere in the zone (including MDR6 South East Thornlands and MDR9 Kinross Road)		3 storeys and 13m ~~11.5m~~	
	Where development is proposed at 2 storeys and is not located in a precinct. Note: this maximum building height of 8.5m only applies to development proposed at 2 storeys where the maximum number of storeys supported is 3 storeys. ~~Elsewhere in the zone, where 2 storeys in height.~~		8.5m	
Note: yellow highlight denotes an addition, while a strikethrough denotes a deletion.				
Theme 7: Site cover acceptable outcome				
Individual and community group submissions support reducing the current site cover acceptable outcome of 75% for a building 13m in height or less, with a range of grounds provided. These include: • More aesthetically pleasing contributing to community well-being. • Preserving/planting native vegetation. • Provides a buffer from neighbouring properties. • Increased tree cover providing habitat for wildlife and linkages to wildlife corridors. • Assists in managing heat island effects which will be more important with climate change. • Provides more permeable areas to manage water quality and quantity. • Supports increased building setbacks for natural light and breezes.		The current site cover (building footprint) performance outcome in City Plan MDR zone code seeks to: • Allow for the provision of substantial open space and landscaping on the site; and • Mitigate the bulk and scale of development. The corresponding acceptable outcome provides an example site cover of 75% where the building height is equal to or less than 13m (majority of MDR zoned land) or 60% above 13m. If an application adopts the site cover acceptable outcome it is deemed to meet the performance outcome and no further assessment is undertaken. The review of the MDR zone code found many issues with the site cover acceptable outcome. Key issues include:		That the comments be noted.

Submission/s summary	Officer comments	Officer Recommendation
Some community group submissions have requested that the proposed acceptable outcome for site cover of 50-55% (depending on lot size and multiple dwelling type) should be reduced further to 40% as under the previous Redlands Planning Scheme. The grounds provided are that further reducing the site cover is particularly important for managing impacts on adjoining and nearby residents. Industry submissions however have requested that the existing 75% site cover acceptable outcome either be retained or be removed altogether on the following grounds: • Reducing site cover will harm the viability of development. • Reducing site cover will reduce the ability of the Council to meet State dwelling targets. • A higher site cover will result in better design outcomes and housing choice. • Site cover is used less in modern housing areas, with setback and design requirements being more relevant and fit for purpose • Building heights will need to be increased to compensate for reduced site cover. • A reduced site cover sends poor signals to the development industry and community. Industry submissions have also requested there is a need for a specific site cover acceptable outcome of 65% to 70% to facilitate freehold townhouses.	• The 75% site cover acceptable outcome supports a building covering the majority of a site which is inconsistent with the associated performance outcome that seeks to ensure site cover mitigates the bulk and scale of development and provides substantial open space and landscaping. • The 75% site cover acceptable outcome is only achievable where other acceptable outcomes are compromised, particularly the building setback acceptable outcomes. This results in less separation between medium density buildings and neighbouring properties which reduces the ability to retain vegetation or provide substantial landscaping to screen buildings, minimise impacts on the residential amenity and privacy of neighbouring residents and provide for sufficient natural light and breeze. The review also identified that the 75% site cover acceptable outcome is the exception in SEQ with it being significantly higher than other SEQ planning schemes which generally are around 50%. For the above reasons, a reduced site cover acceptable outcome of 50% to 55% (depending on lot size) has been proposed. The proposed site cover acceptable outcome is similar to other the site cover acceptable outcome in other SEQ planning schemes and has been subject to: • Independent scenario testing that confirmed it is set at a percentage that is coordinated with other MDR acceptable outcomes allowing for all design outcomes to be delivered on a site. • Independent development feasibility testing that found this level of site cover is economically viable to develop. Importantly, the acceptable outcome only provides an example of how to meet the corresponding performance outcome. Flexibility is provided for a development proponent to propose a higher site cover where it meets the proposed site cover performance outcome. <u>Specific site cover acceptable outcome for freehold townhouses</u>	

Submission/s summary	Officer comments	Officer Recommendation
	See officer comments in theme 10: freehold townhouses in relation to the requested specific site cover acceptable outcome for freehold townhouses. <u>State Government dwelling benchmarks</u> In response to industry submission comments that reducing the site cover acceptable outcome will reduce the ability of Council to meet State dwelling targets the following should be noted: • The State Government dwelling benchmarks for the City, included in the SEQ Regional Plan, are for the City to provide 17,200 new dwellings between 2016 and 2041. • The State Government's latest annual monitoring report (Land Supply and Development Monitoring Report) identifies that the current City's dwelling supply significantly exceeds the 17,200 new dwellings identified in the SEQ Regional Plan with significant capacity for medium density development in the city's consolidation area. • The significant capacity for new dwellings, particularly for medium density development in the consolidation area, indicates that the proposed reduction in the site cover acceptable outcome will not have an impact on the ability of the city to meet State Government dwelling benchmarks. <u>Previous Redlands Planning Scheme MDR zone site cover</u> In response to community group submissions that called for a return to the site cover acceptable outcome (probable solution) from the previous Redlands Planning Scheme of 45% for apartments and 40% for all other multiple dwellings, including townhouses the following should be noted: • The proposed acceptable outcome for site cover of 50% to 55% for an apartment (depending on lot size) and 50% for a townhouse has been developed through the independent scenario and development feasibility testing to allow for a well-designed medium density development and its	

Submission/s summary	Officer comments	Officer Recommendation
	design requirements (including open space, landscaping, building setbacks etc.). - Setting the site cover acceptable outcome at 40% to 45% is considered unreasonably low recognising the site cover acceptable outcome of other SEQ planning schemes and that scenario testing has confirmed a well-designed medium density development and its design requirements is achievable based on the proposed acceptable outcome of 50% to 55% (depending on lot size). - Further reducing the site cover is likely to impact medium density development feasibility and the development of this form of housing which is important to meet the housing needs of the community.	
Theme 8: Building setback acceptable outcomes		
Individual and community group submissions have generally supported the proposed changes to building setback assessment criteria to provide more space between buildings to protect the amenity of neighbouring properties, provide for sufficient landscaping as well as natural light and breezes. An individual submission did however object to the built to boundary wall acceptable outcome as it does not preserve breezeways or allow for firefighting access. Industry submissions support the townhouse building setback acceptable outcomes but object to the proposed building setback acceptable outcomes for apartments on the grounds it will impact the viability of apartments, discouraging this form of housing. Industry submissions have also requested there is a need for specific building setback acceptable outcomes for townhouses that are proposed to be freehold.	The amendment proposes different front, side and rear building setback acceptable outcomes for townhouse and apartment developments. This allows the building setback acceptable outcomes to be tailored to the two different housing forms. For townhouse development, the amendment proposes to retain the existing setback acceptable outcomes except for a reduction in the rear boundary setback from 4m to 3m based on benchmarking with other SEQ planning schemes. For apartment development, the amendment proposes the following changes to acceptable outcomes: - Increase the front building setback from the current 3m to 4m to a balcony and 6m to the building wall. - Applying a simple 3m side building setback to a balcony or wall on a site 800m² to 1,000m² that is intended for a building three storey or less in height rather than the current sliding scale based on building height.	It is recommended that the built to boundary side boundary setback acceptable outcome (AO13.1) be deleted as follows: ~~AO13.1~~ ~~The side boundary setback:~~ ~~(1) provides that a built to boundary wall does not exceed 4.5m in height and 9m in length along any one external boundary for~~

Submission/s summary	Officer comments	Officer Recommendation
	- Applying a simple 4m side building setback to a balcony or building wall on a site greater than 1,000m² that is intended for a building three storey or more in height. - Increasing the rear building setback from 4m to a building wall to between 5m and 6m for a three storey development dependent on the site size (for example 5m on lots between 800m² to 1,000m² and 6m on lots greater than 1,000m²) <u>MDR zone code review</u> The changes to the front, side and rear building setbacks for apartment development are based on the MDR review recommendation to improve the coordination between acceptable outcomes to ensure that the outcomes work and support each other. For example, the proposed changes to the front building setback acceptable outcome for an apartment development is intended to support other acceptable outcomes that seek the articulation of a building façade and deep planting that has a minimum dimension of 4m. Similarly, the changes to the side and rear building setbacks are proposed to coordinate with the deep planting and communal open space acceptable outcomes. For example, the side boundary acceptable outcome of 4m for larger sites (greater than 1,000m²) allows the side boundary to be used for deep planting which has a minimum dimension of 4m. The proposed wider setback on a larger development site (1,000m² or greater in size) is made in recognition that larger sites will accommodate larger development, including more residential dwellings, and a larger setback is required to protect residential amenity on neighbouring properties. The proposed boundary setbacks have been benchmarked with other SEQ planning schemes. For example, the current front setback of 3m to a building wall was found to be less than all other planning schemes reviewed for	~~townhouse development.~~

Submission/s summary	Officer comments	Officer Recommendation
	apartment development. The proposed changes align the City Plan MDR zone code with other SEQ planning schemes. It should also be noted that: • Independent scenario testing confirmed that the proposed building setback acceptable outcomes work together and can be collectively accommodated on a site with other outcomes. • Independent development feasibility testing confirmed that the proposed building setback acceptable outcomes do not make an apartment unfeasible to develop. <u>Built to boundary walls</u> The current MDR zone code includes an acceptable outcome that supports a built to boundary wall along any one boundary (where it does not exceed 4.5m in height and 9m in length). This acceptable outcome applies to all multiple dwelling development (apartments and townhouses). The amendment has retained the built to boundary wall acceptable outcome but has limited it to only apply to townhouse development rather than both townhouses and apartments. A review of the built to boundary wall acceptable outcome has been undertaken in response to the objection received. This review has found that: • The built to boundary wall acceptable outcome is not aligned with the corresponding performance outcome that supports the separation of buildings to deliver a range of outcomes. • Neighbouring SEQ planning schemes do not include a built to boundary wall as an acceptable outcome in the MDR zone. It has also been considered that while only one submission has directly objected to the built to boundary wall acceptable outcome, this objection is	

Submission/s summary	Officer comments	Officer Recommendation
	consistent with comments made by other submissions that support greater space between buildings for a range of reasons. Based on the above, it is recommended that the outcome be removed. <u>Specific building setback acceptable outcomes for freehold townhouses</u> See officer comments in theme 10: freehold townhouses on the request for specific building setback acceptable outcomes for freehold townhouses.	
Theme 9: Rear and side building setback performance outcome		
An industry submission has raised concerns that the side building setback performance outcome (PO13) requires communal and private open space to be provided in side setbacks. This is not typically anticipated due to interface issues with neighbouring properties. These performance outcomes to provide communal and private open space in the side boundary setback should be removed.	The subject performance outcome (PO13) relates to both rear and side building setbacks and includes an outcome that: - Side and rear boundary setbacks provide for communal and private open space. While it is expected that the rear boundary setback provides the most likely location for communal and private open space, some use of the side setbacks for open space may be suitable, particular for larger developments that have 4m side setbacks. The performance outcome provides this flexibility but does not require that communal and private open space be located in side setbacks. A minor amendment to the performance outcome to qualify that communal open space is not required for all development, only larger developments (apartments with 10 or more dwellings and townhouses with 20 or more dwellings) may however assist with its interpretation. The following minor amendment (yellow highlight) is recommended to make this qualification: - Side and rear boundary setbacks provide for communal (where required) and private open space.	It is recommended that performance outcome PO13 be amended to include the following: Side and rear boundary setbacks: provide for communal (where required) and private open space areas;
Theme 10: Freehold townhouses		
Industry submissions support providing outcomes specifically related to the freehold townhouses and have noted that these	<u>Site cover and freehold townhouse development</u>	Add the following editor's note to the site

Submission/s summary	Officer comments	Officer Recommendation
outcomes facilitate development responses to the States 'missing middle' initiative. The industry submissions have however requested that the following specific site cover and building setback acceptable outcomes are required to facilitate townhouse development on freehold lots: • A higher site cover acceptable outcome of 65-70%. • A reduced setback of 2m for a secondary frontage. • A reduced rear setback for townhouses with rear lane access. • Specific rear access lane assessment criteria.	The amendment proposes to provide a specific reconfiguration performance outcome to facilitate freehold townhouse development. The outcome however requires that townhouses be approved and constructed before reconfiguration can occur to create a freehold lot for each townhouse and a rear access lane established. As such, site cover is considered at the townhouse approval stage and is calculated as a proportion of the lot before any reconfiguration occurs. A review of townhouse development with rear access, including the example provided by an industry submission, found that these townhouse developments were below the 50% maximum site cover in the acceptable outcome. As a result, no change is considered necessary to the townhouse site cover acceptable outcome to support freehold townhouses. However, to clarify the approach to calculating site cover for freehold townhouses, it is recommended that an editor's note be included in the site cover acceptable outcome. <u>Freehold townhouse building setbacks</u> A review of the front, rear and side building setback acceptable outcomes has been undertaken to consider the industry submissions and identify any changes needed to support freehold townhouse development, including those that propose access from a rear laneway. <i>1. Front boundary building setback</i> The front boundary building setback for a townhouse development is proposed to maintain the current 3m setback to a building wall and 5.5m to garage doors. For a townhouse development with rear access, this acceptable outcome requires some interpretation as only a 3 metre front building setback should apply as no front garage is needed. However, to make it clear, a separate front	cover acceptable outcome to clarify how to calculate site cover for a freehold townhouse: • Editor's note: site cover for a townhouse designed for freehold titling is calculated as a proportion of the lot before reconfiguration. Amend the front setback acceptable outcome (12.1) to include a new acceptable outcome for a townhouse development with rear lane access as follows (yellow highlight is additional wording): • The front boundary setback is a minimum of: (1) 3m to the building wall and 5.5m for

Submission/s summary	Officer comments	Officer Recommendation
	setback acceptable outcome of 3m is recommended for townhouse development with rear access. <i>2. Secondary front boundary building setback</i> Where a townhouse is proposed on a site with two street frontages, all frontages are currently considered to be front boundaries and the front building setbacks apply to both street frontages. For a townhouse development with rear access, this means that a 3 metre setback would apply to a secondary street frontage. The industry submission has requested that this setback be reduced from 3 metres to 2 metres. This would in turn reduce the landscaping opportunities along the second street frontage to a 2m wide strip. No change is considered necessary to create a specific and reduced secondary street setback to facilitate freehold townhouse development. Flexibility is provided for an application to propose a 2 metre setback to a secondary street frontage and have it assessed against the front setback performance outcome. <i>3. Rear boundary building setback</i> The proposed new reconfiguration performance outcome to facilitate freehold townhouse development only supports the creation of individual lots for each townhouse and for a rear access following the construction of the townhouses. Based on this proposed approach, there is no identified need for a specific rear boundary building setback as a freehold townhouse development is assessed the same as other townhouse developments. <i>4. Rear access lanes</i> The City Plan – Infrastructure Works Policy includes design criteria for an 8 metre wide access laneway with a 5.5 metre carriageway that is suitable for a rear access laneway. This design is similar to the design for a rear lane in the Next Generation Planning Handbook (2011) that has a 6 metre wide rear lane with a 5 metre carriageway.	garage doors for a townhouse development with front street access; or (2) 3m to the building wall for a townhouse development with rear lane access;

Submission/s summary	Officer comments	Officer Recommendation
	The access laneway design criteria in the Infrastructure Works Policy can be used by a freehold townhouse development for a rear lane access. As City Plan already includes an access laneway design suitable for a rear lane there is no need to include specific assessment criteria in the MDR zone code.	
Theme 11: Communal open space		
Individual and community group submissions support the proposed changes to the communal open space assessment criteria to provide positive benefits to residents and neighbourhoods. Two industry submissions have however objected to a perceived change to communal open space that is identified in their submissions as requiring 15% of site area for apartment development of 10 units or less. While the industry supports the inclusion of communal open space, a smaller percentage (5% for example), irrespective of the number of units may be a more beneficial outcome.	The industry submission objection is based on a misinterpretation of the communal open space trigger. The draft MDR zone code does not propose that an apartment with 10 or fewer dwellings provides any communal open space. The draft MDR zone code proposes that apartment development of <u>10 or more</u> dwellings or townhouse development of <u>20 or more</u> dwellings provides sufficient communal open space as a performance outcome. The corresponding acceptable outcome identifies that communal open space is provided for: • Apartment development at a minimum of 15% of site area or 100m² (whichever is greater); or • Townhouse development at a minimum of 5% of site area or 50m² (whichever is greater). The acceptable outcome recognises that communal open space is only required for larger developments over 10 units in the case of apartment development. Similarly, the Multiple Dwelling Design Guide notes that communal open space allows for casual social interaction for larger medium density developments. The acceptable outcome also recognises that a greater level of communal open space is needed to support the liveability and amenity of residents in apartments compared to townhouses. The communal open space acceptable outcome of 15% of site area for apartment development of 10 or more dwellings has been independently tested to ensure it can be accommodated along with other design	That the comments be noted. It is recommended that the communal open space acceptable outcome (AO4.1) be amended for clarity to read as follows: Communal open space is provided, where development involves: (1) an apartment development with 10 or more dwellings; (a) at a minimum rate of 15% of the site area or 100m² (whichever is greater); (b) with a minimum dimension of 5m; and

Submission/s summary	Officer comments	Officer Recommendation
	requirements and does not impact on development feasibility. This testing confirmed that 15% of site area for communal open space can be accommodated and does not result in a development being unfeasible to development. It should be noted that the MDR zone code provides flexibility to provide communal open space for an apartment development at ground level, on rooftops, indoor recreational facilities or a combination of these. In reviewing the submission it has been noted that the wording of the communal open space acceptable outcome could be improved for clarity. As such, it is recommended that minor changes be made without changing the intent of the acceptable outcome.	(c) at ground level, on rooftops, on podiums, by indoor recreational facilities, or a combination of these; and (2) a townhouse with 20 or more dwellings; (a) at a minimum rate of 5% of the site area or 50m² (whichever is greater); and (b) with a minimum dimension of 5m.
Theme 12: Landscaping and deep planting		
Many of the individual and community group submissions support medium density development providing substantial landscaping and deep planting areas to: • Protect and retain existing trees, including koala trees. • Increase permeability and increase drainage. • Plant new trees and gardens. • Provide shade and space to mitigate heat island effects. • To soften the visual appearance of development and hide it from the road.	The benefits of landscaping and urban trees are well understood. For example, the SEQ Regional Plan recognises that well-planned and maintained urban greening supports community health and well-being, as well as urban wildlife and flora. It can also help manage stormwater quantity and quality, contribute to air quality, reduce the urban heat island effect, promote urban food production, enhance views, and increase visual privacy between buildings. The Multiple Dwelling Design Guide also recognises that landscaping and urban trees are a key element of the Redlands character and landscape setting contributing to visual amenity while providing environmental benefits. The	That the comments be noted.

Submission/s summary	Officer comments	Officer Recommendation
• Address climate change through increased shade trees. • Provide sufficient space to grow indigenous flora for insects and fauna biodiversity. The industry submissions support landscaping and deep planting to contribute to a balanced built form and flora design outcome. Industry submissions however raise concerns that: • The landscaping and deep planting acceptable outcomes may limit sensible and viable development. • The building setback, open space (private and communal open space) and landscaping and deep planting acceptable outcomes do not comply with the proposed site cover acceptable outcome. • The landscape and open space acceptable outcomes to have 20% landscaping plus other open space can potentially impact the viability of small-scale developments. • Having a minimum dimension of 4m as an acceptable outcome for a deep planting area may not be required and can potentially result in deep planting not included in parts of the site where it may have real benefit. A minimum dimension of 2.5m is suggested. • A 10% deep planting acceptable outcome may not be beneficial for development to retain established vegetation – reduced deep planting extents may be more beneficial in such cases with 6% proposed. • The deep planting 10% cannot be used in communal open space areas having a perverse consequence that resident recreation cannot take advantage of the benefits of deep planting and landscaping.	guide includes landscaping and deep planting design considerations that have been proposed to be included in the MDR zone code. These include: • Trees and vegetation soften the visual impact of buildings. • Existing trees/significant vegetation should be retained where possible. • Trees provide shade, reducing the urban heat island effect and cooling spaces. • Trees and vegetation contribute to visual amenity and interaction with the natural environment contributing to overall community well-being. • Large shade trees and landscaping promote cool pathways for breezes entering buildings and contribute to the energy efficiency of buildings, especially on western elevations. • Deep planting within the development should be provided at both the front and rear of the development. This assists with privacy and the separation of buildings. • Semi and underground basements need to be setback from the front and rear boundaries to allow the growth of canopy trees over time. The landscaping acceptable outcome in the MDR zone code currently identifies: • A minimum of 15% of the site is planted or grassed landscaping (rather than hardstand). • A 2m wide landscaped area that is capable of deep planting to sustain mature trees, is provided along the length of any public road frontage. The MDR review recommended a number of changes to the landscaping assessment criteria, including acceptable outcomes, to incorporate the landscaping considerations of the Multiple Dwelling Design guide, improve the coordination between acceptable outcomes and to align with other SEQ planning schemes. Some of the key changes proposed include: • Increasing the minimum landscaping from 15% of a site to 20% of a site.	

Submission/s summary	Officer comments	Officer Recommendation
	• Including a new performance outcome that development is designed to retain and establish significant trees and street trees. • Providing specific acceptable outcomes for deep planting, including that 10% of the 20% of overall landscaping of a site provides deep planting areas. • Providing increased flexibility to provide deep planting areas where they provide the most benefit on a site, including to retain existing significant trees or be located next to deep planting on a neighbouring site, or in rear and side boundary setbacks (in addition to the front boundary setback) for privacy, to separate buildings and to soften the visual impact of buildings. • Deep planting areas should have a minimum dimension of 4m in any direction to provide sufficient space to either retain or plant a significant tree that at maturity complements the scale and height of the built form. The minimum dimension of 4m is based on benchmarking with other SEQ planning schemes. In addition, it is proposed that the calculation of 10% proportion of a site for deep planting exclude any deep planting provided in communal open space areas. This does not exclude deep planting being provided in communal open space and any deep planting in these areas can be counted towards the overall 20% landscaping. This approach is proposed to ensure that larger medium density developments that are required to provide communal open space also provide for increased landscaping of a site. The above proposed landscaping and deep planting acceptable outcomes were confirmed through independent scenario testing as being able to be accommodated on a site along with all other built form and design acceptable outcomes. Similarly, independent development feasibility testing of the proposed acceptable outcomes confirmed that the proposed changes did not make medium density development unfeasible to development.	

Submission/s summary	Officer comments	Officer Recommendation
	It is also important to note that the industry submissions have provided no evidence in support of any of the concerns raised. In addition, the proposed acceptable outcomes only provide an example of how to meet the corresponding performance outcome. An application may propose an alternative approach that meets the performance outcome.	
Theme 13: Concept design proposal		
An industry submission considers that a concept design process is meritorious, however, it should only apply to larger scale development. It is a substantive encumbrance on smaller developments.	The development site layout and design performance outcome (PO37) in the MDR zone code requires development to enhance and compliment the character of the surrounding neighbourhood and respond to the opportunities and constraints of the site. The performance outcome includes an editor's note that the performance outcome can be met through a Concept Design Proposal prepared in line with the new Planning Scheme Policy 7: Multiple Dwelling Design. The editor's note simply provides guidance in meeting the performance outcome. There remains flexibility for an applicant to address the performance outcome without a Concept Design Proposal. The Concept Design Proposal outlined in the proposed new Planning Scheme Policy 7: Multiple Dwelling Design is however not considered to be a substantive encumbrance on smaller developments. A Concept Design Proposal can add value to an application by reducing the need for delays in the assessment of an application related to Council requesting further information, and may also help in minimising costly amendments to the proposal at later stages.	That the editor's note is amended to refer to the concept design proposal in Planning Scheme Policy 7 – Multiple dwelling design.
Theme 14: new Planning Scheme Policy 7 – Multiple dwelling design		
Individual and community group submissions support the incorporation of the current non-statutory Multiple Dwelling Design guide into City Plan through:	The MDR zone code review recommended to incorporate the non-statutory Multiple Dwelling Design Guide into City Plan through:	It is recommended that further references through the use of Editor's notes be made

Submission/s summary	Officer comments	Officer Recommendation
- Embedding its design considerations into the MDR zone code to ensure development addresses these design considerations and where it does not they can be considered in any appeals before the Planning and Environment Court. - Including the guide in City Plan as a Planning Scheme Policy. Industry submissions note that the inclusion of the current non-statutory Multiple Dwelling Design Guide as a planning scheme policy is consistent with other SEQ planning schemes and its design principles in theory. The submissions however suggest that while it can assist in the delivery of better built form outcomes for large scale projects, it can be a substantial impediment to the feasibility of small scale developments. The design consideration for public art to be provided on blank walls is given as an example that should be removed. An industry submission also noted that the MDR zone code does not refer to the guide.	- Integration of the design elements of the guide into the assessment criteria of the MDR zone code where practical, through the refinement of performance outcomes to ensure these design elements form part of the development assessment framework. - Introduce new assessment criteria to ensure that building design responds to the site and character of the neighbourhood to assist in avoiding standard building designs or 'cookie cutter' one design fits all building designs. - Convert the Multiple Dwelling Design Guide into a planning scheme policy to be called up in the acceptable outcomes of the MDR zone code where relevant. It is important to note that the proposed new Planning Scheme Policy is intended to provide assistance to applicants in meeting the assessment criteria of the MDR zone code. The design considerations included, such as the public art on blank walls, are provided as advice only and may be included in a medium density development only where an applicant chooses to do so. The proposed MDR zone code already includes references to the new Planning Scheme Policy 7: Multiple Dwelling Design in the acceptable outcomes. Further references to the new Planning Scheme Policy 7 will be added where relevant to further assist applicants.	to the new Planning Scheme Policy 7: Multiple Dwelling Design in the acceptable outcomes where relevant.
Theme 15: Administrative definitions		
Individual and community group submissions generally support defining apartments and townhouses separately and applying different assessment criteria to each. Some industry submissions acknowledge that apartments and townhouses are different housing products and distinguishing between the two in City Plan is justified.	The proposed introduction of administrative definitions for apartments and townhouses in City Plan is proposed to recognise the two primary housing forms expected in the MDR zone are different in terms of expected built form and scale and should reasonably have different assessment criteria to recognise these differences. For example, townhouses and apartments have different site cover and building setback requirements.	It is recommended that the administrative definitions for apartment and townhouse development be

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The industry submissions however raise concerns with: • The building envelope (site cover, building height and setbacks) applied to apartments will discourage this form of housing. • The proposed definitions do not include all infill development – a development example is provided that does not fit into either definition but has characteristics of both. • If a development does not meet either definition it would be impact assessable which discourages medium density development. Some industry submissions have suggested that the definition of townhouses and apartments be revised and follow the definition of multiple dwellings in the <i>Planning Regulation 2017</i>.	The MDR zone currently applies one set of built form and design assessment criteria to both different housing forms. This one-size-fits-all approach can lead to undesirable medium density outcomes due to blanket assessment criteria that may suit one medium density housing form over another. While it is expected that for most developments it is a relatively simple and intuitive process to determine whether it is an apartment or a townhouse being proposed, the administrative definitions are intended to assist determining which assessment criteria (either townhouse or apartment) apply to a medium density development. It should be noted that the introduction of administrative definitions into City Plan for apartments and townhouses does not affect the <i>Planning Regulation 2017</i> definition for multiple dwellings or the level of assessment. Both apartments and townhouses will remain defined as multiple dwellings in line with the <i>Planning Regulation 2017</i> definition and the current level of assessment remains unchanged. The administrative definitions simply assist and have no relevance to the level of assessment. <u>Submitted case study</u> A review of the submitted development case study that does not meet either of the proposed apartment or townhouse administrative definitions found the development: • Includes several separate buildings at two storeys, with a separate dwelling on each storey. • The development has a common access driveway with car parking immediately accessible to each dwelling. The development is considered to best fit as a townhouse development with the key difference from a standard townhouse development being that it	amended to read as follows: • Townhouse Development (Multiple Dwelling): The use of a premises for three or more dwelling units in separate buildings that: - have individual dwelling unit entrances. - have car parking either incorporated into the dwelling or immediately accessible to the dwelling. • Apartment Development (Multiple Dwelling): The use of a premises for three or more dwelling

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	includes dwellings that are located on a single storey (rather than two or three storeys) with another dwelling located on the storey above. The proposed administrative definition for a townhouse currently: • Includes that it does not have a dwelling above it. • Does not recognise that townhouse development is in separate buildings. The administrative definition can be revised to address this form of townhouse development by removing reference to a townhouse not having a dwelling above it and recognising that it generally occurs in separate buildings but not always. Along with these key changes to the townhouse definition, some other minor revisions to both the townhouse and apartment definition will assist with interpretation. In summary, the recommended changes to the definitions are as follows (yellow highlight addition, strikethrough deletion): • Townhouse Development (Multiple Dwelling): The use of a premises for three or more dwelling units generally in separate buildings that: ~~— does not have a dwelling above or below it~~ - has have individual dwelling unit entrances. - has have individual car parking either incorporated into the dwelling or immediately accessible to the dwelling ~~and waste storage areas~~ • Apartment Development (Multiple Dwelling): The use of a premises for three or more dwelling units in a building that generally: - is two or more storeys in height - has a common ~~foyer~~ entrance	units in a building that generally: - is two or more storeys in height - has a common entrance - has communal facilities including outdoor spaces, car parking and waste storage areas.

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	- has communal facilities including outdoor spaces, car parking and waste storage areas.	
Theme 16: Drafting of performance outcomes		
An industry submission noted that many of the proposed performance outcomes are detailed and often prescriptive. The submission suggests that the following performance outcomes be reviewed: • PO4 – communal open space. • PO12 – front boundary setbacks. • PO13 – side and rear boundary setbacks. • PO15 – building design. • PO20 – sub-tropical design. • PO21 – roof design. • PO24 – driveway and internal access design.	The amendment is based on the recommendations of the MDR zone code review that included: • Improving the coordination between the assessment criteria of the MDR zone code, including ensuring the performance and acceptable outcomes were aligned. • Integrating the design elements of the non-statutory Multiple Dwelling Design Guide into the MDR zone code where practical through the refinement of performance outcomes. The amendment has also reviewed and been benchmarked with other SEQ Planning Schemes. As a result of implementing the MDR review recommendations, the subject performance outcomes referenced in the industry submission have been expanded to address a greater range of matters. The amendment has undergone state interest review before public consultation. The state interest review includes ensuring the amendment meets the Guiding Principles of the State Planning Policy, which includes that the amendment adopts a performance based approach to development assessment to allow for innovation and flexibility in how development can be achieved. The Planning Minister on 21 June 2021 advised that the amendment appropriately ingrates the relevant state interests, including that it is performance-based, and may proceed to public consultation. On this basis, there is no need to further review the performance outcomes cited in the submission as being detailed and prescriptive.	That the comments be noted.

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Theme 17: Inefficient use of medium density residential zone land		
A community submission suggested that dwelling house and dual occupancy development should not be supported in the MDR zone. This form of housing is an inefficient use of limited medium density land and adds pressure for additional land to be zoned medium density in the future. An industry submission objected to proposing the removal of the opportunity to establish dwelling houses on small lots in the MDR zone. On larger MDR zoned sites, providing for dwelling houses allows for a transition between medium density development and existing low density development. The industry submission does however acknowledge that the proposed support for freehold townhouses may provide the same opportunity.	The majority of the MDR zone is currently used for single dwelling houses. An analysis found that only 13% of the MDR zone is currently used for apartment and townhouse development, with the balance 87% typically containing dwelling houses. The existing lot size in the MDR zone reflects this with 60% being less than 800m². As the MDR zone is already made up of dwelling houses there is no rationale to not support a dwelling house in the zone by making them impact assessable. Dual occupancy housing is proposed to continue to be supported in the MDR zone but only where not located in an MDR precinct that provides for increased building height (4-6 storeys). Dual occupancy housing is considered to be an efficient use of MDR zoned land (outside of precincts) that is suited to the dominant lot size in the zone (60% being less than 800m²). This form of housing also supports housing diversity and affordability outcomes to meet housing needs. The amendment does however propose to protect larger MDR zoned land from being reconfigured into small lots for single dwelling houses. It is proposed that lots less than 800m² are only created in the MDR zone where: • There is sufficient size to accommodate a well-designed development and all its required design elements (articulation of building elements, landscaping, deep planting and open space); or • Where townhouse development has been designed for freehold titling and has been constructed. This is proposed to ensure that the larger lots in the MDR zone are maintained for medium density development and not reconfigured and used for less efficient housing forms. It is not considered necessary to support the creation of lots for dwelling houses on larger MDR zoned lots to provide a transition between medium and low	That the comments be noted.

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	density development. The MDR zone provides requirements that development over 13 metres in height is stepped down in height and scale to be of a similar size to that of an adjoining lower density development or zoned land. Development on larger sites can also use townhouse development, including on freehold title, to provide a transition with adjoining lower density development.	
Theme 18: MDR Zoning – location and amount		
An industry submission considers it necessary to increase the extent of MDR zoned land in the City to assist in addressing housing affordability and rental availability crisis. An individual submission suggested that multiple dwellings be developed above the existing shopping centres instead of elsewhere.	The MDR review identified that the City has around 400 hectares of MDR zoned land but that the majority (83%) is not currently used for apartments and townhouses. This provides a significant opportunity in the existing MDR zoned area for the development industry to take up and deliver medium density housing to meet housing needs. It should also be noted that the low medium density residential zone of City Plan also provides significant opportunities for the redevelopment of lower density townhouses and apartments across the city. The State Government's annual Land Supply and Development Monitoring report quantifies the dwelling capacity of City Plan in existing urban areas at 38,500 dwellings. While this capacity also includes a range of housing, it indicates the significant existing capacity in the City Plan for medium density development that the development industry could take up. In addition to MDR zoned land, the principal centre zone of City Plan, provides the opportunity for significant redevelopment, particularly in Cleveland and Capalaba, for medium to higher density housing, including over existing shopping centres. These redevelopment opportunities support focusing the medium to higher density housing in centres with the greatest access to jobs, services and public transport.	That the comments be noted.

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	A recent application lodged in Cleveland (MCU21/0149) to redevelop the existing shopping centre for a range of uses including almost 150 new apartments illustrates these opportunities. Accordingly, there is no demonstrated need for any additional MDR zoned land in the City. The issue is more about the take-up of existing opportunities which are critical to improving dwelling diversity to address the housing needs of the community.	
Theme 19: Apartment diversity		
An industry submission has expressed concern over the proposed apartment diversity performance outcome on the following grounds: • Apartment diversity should be driven by location, design, car parking, market demands and feasibility. • Apartment diversity should be provided at a broader scale across a region and not in a single development.	The amendment proposes a new performance outcome that apartment development involving five or more dwellings provides a mix of dwelling sizes, in terms of the number of bedrooms, to accommodate a range of household types. This proposed new performance outcome is based on a review of approved applications for apartments under the MDR zone code that found the majority provided no mix in terms of the number of bedrooms. All apartments in each development were either one bedroom or two bedroom. The proposed new outcome has considered similar outcomes for apartment mix in the CGC and LCC planning schemes. The proposed performance outcome has been reviewed by independent consultants, which resulted in revisions to the outcome to ensure it is not overly prescriptive. The outcome does not, for example, prescribe that a certain proportion of apartments need to have a different number of bedrooms. As such, it still leaves significant flexibility for apartment diversity to be considered based upon location, design, car parking, market demands and feasibility. The outcome is consistent with a key outcome of the MDR zone to support housing diversity to meet the housing needs of the growing and changing community. The performance outcome will ensure that each apartment development of five or more units considers a mix of apartments in terms of	That the comments be noted.

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	the number of bedrooms to support a range of household types and demographics rather than only catering for one household type or demographic. This in turn will support apartment diversity at the broader suburb or city scale.	
Theme 20: Non-residential uses		
An industry submission suggests it would be beneficial for mixed-use development to include a more diverse range of non-residential uses, including small scale commercial uses such as an office or shop to meet local convenience needs or medical needs.	The MDR zone code currently supports, as code assessable uses, small scale non-residential uses (where not exceeding 250m²) that are integrated with residential uses that provide a community service function or are a local café servicing the immediate community (community service includes community care centre or community use – see definitions below). Importantly, any non-residential use in the MDR zone is required to not compromise the role of any centre. This ensures the primacy of existing centres is maintained as focal points for local communities and the private and public investment in these centres. Other non-residential uses may, however, be proposed as impact assessable uses and will be subject to public consultation and will need to demonstrate that the proposed use does not compromise the role of a centre. The industry submission has not provided any evidence demonstrating a need to expand the non-residential uses supported as code assessable uses in the MDR zone of City Plan. Recognising there is the flexibility provided through impact assessment to propose additional non-residential uses, no change is recommended to the range of non-residential uses supported as code assessable in the MDR zone. Community Service Definitions A community care centre includes primary uses like disability support service, drop-in centre, respite centre, indigenous support centre. It also includes medical care to the public where it is ancillary to the primary use.	That the comments be noted.

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	A community use includes primary uses like an art gallery, community centre, community hall, library and museum. It also includes preparing and selling food and drink where ancillary to the primary use.	
Theme 21: Minimum site area acceptable outcome		
An industry submission requested that the acceptable outcome for site area (AO7.1) should be redrafted and not vary the site requirement based on building height. Instead, it should only refer to an 800m ² minimum lot size with a 20 metre frontage.	The site area performance outcome (PO7.1) requires that development occurs on a site of sufficient area and street frontage for a well-designed multiple dwelling building and its setback and design requirements. The corresponding acceptable outcome (AO7.1) provides an acceptable site area and street frontage for buildings at three storeys and a separate outcome for buildings higher than three storeys. Buildings greater than three storeys are supported in some of the MDR precincts. For a building three storeys or less, a site area of 800m² with a street frontage of 20 metres is identified as an acceptable outcome This reflects the minimum lot size of the MDR zone of 800m² and the 20 metre street frontage is an existing acceptable outcome that seeks to ensure sufficient street frontage for a building to be orientated to the street. For a building, four storeys or more, the acceptable outcome is for a site area of 1,000m² with a street frontage of 20 metres. A larger site is considered necessary for a building four storeys or more to provide the design elements required in the corresponding performance outcome. If an application does not adopt the site area acceptable outcome it will then be assessed against the performance outcome. This provides the opportunity for a four storey building on a site less than 1000m² provided it is of sufficient area for a well-designed building and its setback and design requirements The drafting of the site area acceptable outcome could however be improved for clarity.	It is recommended that the following minor amendments be made to the site area acceptable outcome (AO7.1) to improve clarity (yellow highlight addition, ~~strikeout~~ deletion: A development ~~site~~ has a minimum ~~site area~~ and ~~street frontage~~ width of: (1) ~~site area of~~ 800m² and a ~~street frontage width of~~ 20m for a building 3 storeys or less in height; or (2) ~~site area of~~ 1,000m² and a ~~street frontage width of~~ 20m for a building 4 storeys or greater in height.

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	It is recommended that the site area acceptable outcome be maintained but the acceptable outcome be redrafted for clarity.	
Theme 22: Vehicle access acceptable outcome		
An industry submission has requested a review of the part of the acceptable outcome for driveways and internal access (AO24.1) that seeks to limit driveway crossovers to one crossover per street frontage. The submission considers that this acceptable outcome does not take into account that townhouses may have individual crossovers as anticipated by the front garage setback acceptable outcome elsewhere in the MDR zone code.	The acceptable outcome for driveways and internal access has been drafted to provide outcomes that are acceptable to all multiple dwellings including apartments and townhouses rather than having specific provisions for each or exceptions. Where a townhouse development is proposed with more than one driveway crossover on a street frontage it will not meet the acceptable outcome and will then be assessed against the performance outcome. The performance outcome provides flexibility to consider additional driveway crossovers for a townhouse development if required. No change is recommended to the subject acceptable outcome, recognising that the corresponding performance outcome provides flexibility to consider more than one driveway crossover for a townhouse development.	No change is recommended.
Theme 23: Visitor car parking in front building setback performance outcome		
An industry submission has requested a review of the part of the front setback performance outcome (PO12) that supports visitor car parking. Providing for visitor parking in the front setback is not a desirable character and amenity outcome in the streetscape in all instances. Visitor parking can be located in basements and driveways for example.	The MDR zone code currently includes a performance outcome that supports car parking (resident and visitor) in front, side and rear setbacks of medium density development (apartments and townhouses). To mitigate amenity impacts on neighbouring properties it has been proposed to amend the performance outcome to only support visitor car parking for apartments in the front building setback. The intent is to allow for visitor car parking in the front setback where adjoining a driveway and where the visitor parking is landscaped and screened from the street. This design approach mitigates character, amenity and streetscape impacts from visitor car parking. This intent is included in the proposed visitor car parking acceptable outcome (AO22.2).	It is recommended that the front setback performance outcome (PO12) be amended to remove the following: • Front boundary setbacks (other than basements) provide for visitor car parking for apartment development where

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	It is recommended that the front setback performance outcome (PO12) be amended to identify that visitor parking for apartment development is supported in the front setback where adjoining the driveway and landscaped and screened from the street. This will ensure the MDR zone code only supports the use of the front setback for visitor car parking where it adjoins a driveway and is landscaped and screened from the street in line with AO22.2. In addition, to further clarify that car parking is not supported in the side and rear setbacks, a minor change is recommended to the side and rear setback performance outcomes (PO13).	adjoining the driveway and landscaped or screened from the street. It is further recommended that the side and rear building setback performance outcome (PO13) be amended to include the following (yellow highlight): Side and rear boundary setbacks provide service functions (except car parking) including clothes drying areas if needed.

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Theme 24: Subtropical design and orientation of private open space to the street		
An industry submission is supportive of encouraging subtropical design but has however identified that the acceptable outcomes for private open space (AO5.1 and AO 5.2) seek that private open space be predominately orientated to the north, west or east which may result in private open space not being orientated to the street frontage for character, building articulation and casual surveillance reasons. It is suggested that the subtropical design criteria for the orientation of private open space be removed from the acceptable outcome.	The amendment proposes, in acceptable outcomes AO5.1 and AO5.2, that private open space be predominately orientated to the north, east and west. This orientation is recognised in the Multiple Dwelling Design Guide as the optimal orientation for private open space like balconies to take advantage of the subtropical climate – see diagram below.  The MDR zone code also includes performance outcomes that buildings are designed to incorporate balconies that are orientated to the street. While both outcomes are important considerations it is considered that orientating private open space, particularly balconies, to the street be given clear priority as it is a key outcome to delivering the built form and design outcomes being sought for apartments. Accordingly, it is recommended to make a minor amendment to acceptable outcomes AO5.1 and AO5.2 that private open space is orientated to the north, west or east unless required to orient to the street for apartments.	It is recommended that both private open space acceptable outcomes (AO5.1 and AO5.2) be amended as follows (yellow highlight): AO5.1 For a ground floor dwelling, ground floor private open space is designed and located to: (1) orient to the street for an apartment development; (2) predominately face north, east or west, except where orientated to the street; AO5.2 For dwellings above ground level, private balconies are designed and located to:

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		(3) orient to the street; (4) predominately face north, east or west, except where orientated to the street;
Theme 25: Sub-tropical design and natural ventilation		
Several individual submissions supported sub-tropical design for: • Passive heating, cooling and cross-flow ventilation to reduce energy requirements associated with air conditioning in a coastal setting. • Cross-flow ventilation to improve health outcomes recognising COVID-19, common colds and the flu virus is transmitted as aerosols. The industry submissions also support subtropical design. One industry submission has however suggested that PO20 that seeks subtropical and climatically responsive design elements is overly prescriptive, in particular the requirement for habitable rooms to have a dual orientation. The submission recommends that rather than be a performance outcome, reference be made in the Multiple Dwelling Design Guide for dual orientation habitable rooms.	The amendment proposes a new performance outcome (PO20) to promote the following subtropical and climatically responsive design elements: • The use of deep balconies, decks and eaves. • Orientating habitable room windows, private open space (balconies and terraces) to the north where possible. • Maximising dwellings with a northern aspect. • Maximising dual orientation of habitable rooms to provide for natural cross ventilation. • Integration of buildings with landscape planting and deep planting areas to create a pleasant micro-climate. • Screening habitable rooms from the western sun, using building and landscape elements. The above performance outcome is proposed to incorporate the subtropical and climatically responsive design considerations in the Multiple Dwelling Design Guide into the MDR zone code. It is important to note that the performance outcome for dual orientation of habitable rooms to provide for cross ventilation is about ensuring the design of buildings maximises this outcome. As such, the outcome does not require it in all circumstances but is only seeking to maximise the dual orientation of	It is recommended that the current editor's note be amended to refer to the new planning scheme policy and moved to the performance outcome column as follows: • Editor's note – Applicants should have regard to: 1. Subtropical Design in South East Queensland: A handbook for planners, developers and decision makers (2010); and

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	habitable rooms. On this basis, no specific changes are recommended to the subject performance outcome. This subtropical design outcome currently includes an editor's note (in the acceptable outcome column) that applicants should have regard to Subtropical Design in South east Queensland: A Handbook for planners, developers and decision makers (2010 Centre for Subtropical design QUT). It is recommended that the current editor's note be amended to refer also to the Multiple Dwelling Design Planning Scheme Policy and the editor's note be included in the performance outcome column to sit directly below the outcomes.	2. Planning Scheme Policy 7: Multiple Dwelling Design.
Theme 26: Landscaping and driveways, accesses and services		
An industry submission suggests an amendment to AO31.2 is required to specifically exclude driveways, access and services from the 2 metre wide landscaped area to be provided along the length of any public road.	The subject acceptable outcome (AO31.2) seeks that a 2 metre wide planted landscaped area is provided along the length of any public road frontage. This acceptable outcome is essentially the same as the existing acceptable outcome in the MDR, LMDR and TA zone codes which does not include a specific exclusion for driveways, access and services. The acceptable outcome is not considered to require a specific exclusion for driveways, access and services as these are essential to the development. As such, no change is recommended.	That the comments be noted.