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# **Unlocking Logan's Prosperity Amendment**

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## **Submission Analysis & Response Report**

**February 2020**

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# 1 Introduction

This report summarises the feedback Council received on the proposed Unlocking Logan's Prosperity (the Amendment) and provides Council's response to the feedback.

The consultation process undertaken for the Amendment is detailed in Section 2. Key issues raised by the community, Council's response to these issues and recommended actions are provided in Sections 3 and 4.

The community's feedback has helped Council to finalise the Amendment. This report is intended to be read in conjunction with the Amendment which can be accessed on Council's website at [www.logan.qld.gov.au/planning](http://www.logan.qld.gov.au/planning).

For further information regarding the Amendment, please contact Council on (07) 3412 4247.

## 2 Consultation on the Amendment

Public consultation on the Amendment was undertaken between 9 Decemebr 2019 and 31 January 2020.

### 2.1 Consultation activities

Council undertook the following community engagement activities:

Date	Community Engagement Activity
27 November 2019	Advised Planning & Economic Development Industry Reference Group, which is comprised of representatives of peak industry bodies, of the opportunity to provide feedback on the Amendment.
5 December 2019	Letters advising of the Amendment and the associated public consultation were mailed to landowners and residents affected by proposed rezonings.
6 December and 12 December 2019	Public notices were published in the following newspapers: <ul style="list-style-type: none"><li>• Courier Mail (6 December 2019)</li><li>• Jimboomba Times (11 December 2019)</li><li>• Albert and Logan News (12 December 2019)</li></ul>
9 Decemebr 2019 – 31 January 2020	The Amendment was published on Council's website with hard copies also available at Council's customer service counters. A copy of the notice was also on display at Council.
	The "Have Your Say" online engagement portal was active, allowing the community to provide feedback.
	A staffed telephone enquiry line was available.
	Meetings were available to enquirers upon request.
	Council corresponded with representatives of the Danggan Balun (Five Rivers) People, seeking feedback on the proposed Amendment.
31 January 2020	Consultation period closed.

## 2.2 Submissions

Council received 19 submissions on the Amendment, two of which were not properly made. All submissions were considered in the refinement of the Amendment.

Council processed and considered submissions in the following way:

- The details of each submission received were entered into a database;
- Submitters were emailed or mailed an acknowledgement to confirm receipt of their submission;
- Submissions were summarised and categorised to identify key matters;
- Each matter in each submission was considered to determine if changes were warranted to the Amendment;
- Responses to each matter were formulated; and
- The proposed responses to submissions and associated revisions to the Amendment were considered by Council's delegates for endorsement.

## 2.3 Proposed changes

A number of minor changes are proposed in response to the issues raised during public consultation. The changes are not considered to represent a significant change, with alterations predominantly occurring to provide clarity and consistency to the intended application of the amendment provisions, or to rectify typographical/administrative errors which occurred during the drafting process. The Amendment has been refined in the following ways:

- The proposed rezoning of properties in the Low density residential zone (Suburban) bounded by Lyndale Street and Daisy Hill Road, Daisy Hill has been withdrawn from the Amendment. The withdrawing of this component of the Amendment will allow for additional consultation with landowners and residents;
- The provisions relating to the introduction of an Industry precinct within the Mixed use zone have been refined to:
  - ensure the spray painting of motor vehicles is undertaken indoors and in a booth;
  - ensure development is responsive to site characteristics and easily and safely accessed;
  - clarify the intent for the amenity buffer adjoining Bardon Road, Berrinba;
- The title of the Strategic Framework element pertaining to new and expanded centres has been expanded to include reference to "centre activities" to ensure the application of these provisions to the establishment or expansion of standalone centre activities (such as Service stations or Child care centres);
- The sequencing of the Strategic Framework element pertaining to new and expanded centres has been refined to ensure clarity of interpretation and application;
- The support for Low impact industry, being a brewery, has been extended to the Logan Central and Jimboomba local plan areas. This will allow for this use to be equally supported across all of the city's major centres;
- Short-term accommodation has been supported in the Centre core precinct of the Logan Village local plan where combined with other Local centre activities as per the mixed use intent of this precinct;
- The 'active frontage' demarcation in the Logan Village local plan has been extended to address the entrance to Anzac Park and extend along both Logan Street and Wharf Street to Albert Street;
- The overall outcome in the Loganholme local plan code seeking to encourage ground level activation in the Bismark Street neighbourhood centre precinct and Bryants Road local centre precinct have been revised to better describe the intent for ground level activation in these precincts;

- The Loganholme local plan code has been revised to reinstate Retirement facility as a supported land use within the Bismark Street neighbourhood centre precinct and Bryants Road local centre precinct. This aligns with other residential land uses that are supported within these precincts, such as Residential care facilities;
- A new performance outcome and acceptable outcome has been introduced to the Mixed use zone code to ensure that Offices are adequately regulated to align with the existing overall outcomes of the code;
- The Infrastructure code has been prescribed as an assessment benchmark for Service industry where accepted development (subject to requirements);
- The noise emissions criteria located in each zone code have been refined to accurately reflect the emissions standards to be achieved with consideration for the adjoining zone;
- The proposed separation distance of 50m between Crematoriums and sensitive land uses has been clarified to ensure that the separation distance is measured from the boundaries of the subject premises to the boundaries of the sensitive land use;
- The overall outcome of the Dual occupancy and Dwelling house code relating to the separation between primary and subordinate dwellings have been revised to ensure that, where dwellings exceed a separation distance of 20m, a merit-based assessment can be undertaken to ensure the visual integration between the dwellings while considering lot size and character of the subject area;
- The performance outcome associated with the introduction of on-site management for Rooming accommodation has been refined to appropriately reflect the corresponding acceptable outcome;
- The road improvement provisions within local plan codes have been applied to reconfiguring a lot to ensure that development provides the outcomes sought by the relevant local plans;
- The filling and excavation standards in the Dual occupancy and Dwelling house code have been revised to refer to the corresponding standards of Planning scheme policy 5 – Infrastructure;
- Some of the proposed variations to PO8 of the Filling and excavation code, including the requirement for retaining walls to be located within a single allotment, have been withdrawn from the Amendment. The withdrawing of some of the formerly-proposed changes will ensure that significant outcomes, such as the safety and stability of retaining walls, continue to be adequately regulated. Importantly, PO8 has also been amended to ensure retaining walls achieve a minimum design life of 60 years;
- The 'application' section of the Filling and excavation code has been amended to apply to development resulting in a material change of use. This change will accord with the existing provisions of the tables of assessment;
- The provisions of Planning scheme policy 5 – Infrastructure guiding the development of retaining walls in detention basins have been clarified;
- The current State Planning Policy guidelines for fire safety in development where gaining access via common private title have been better reflected in the Amendment;
- The requirements relating to the development of rear lots have been better conveyed in the Reconfiguring a lot code to allow for ease of interpretation;
- Various miscellaneous typographical corrections.

Section 4 of this report provides further detail on these changes.

### **3 Key matters**

The key matters raised during public consultation are categorised under the following headings:

- Zoning
  - Daisy Hill
  - Mount Warren Park
  - Crestmead
- Land uses
  - Mixed Use Zone – Industry Precinct
  - Breweries
  - Short Term Accommodation
- Economic Activity
  - New and Expanded Centres
  - Mixed Use Zone
  - Activation of Anzac Park
  - Balance of Streetscape Activation and Residential Redevelopment
- Rural Residential Amenity
  - Rural Residential Zone
- Residential Redevelopment
  - Subdivisions
- Technical Provisions
  - Filling and Excavation
  - State Planning Policy
- Environmental
  - Berrinba General Planning Layouts for Areas
- Administrative
  - Consistency and Clarification
  - Typographical

A summary of the matters raised in the submissions, the responses to the matters raised and recommended changes are provided in Section 4.

### **4 Summary and Responses to Matters Raised in Submissions**

Refer to Appendix 1 overleaf.

## Appendix 1 Summary and Responses to Matters Raised in Submissions

Submission	Matter	Council's response
<b>Zoning</b>		
<b>Daisy Hill (various properties located between Lyndale Street and Allamanda Drive)</b>		
1,4, 5, 11, 15, 17, 19	Do not support rezoning of properties between Lyndale Street and Allamanda Drive, Daisy Hill.	Council has reviewed the submissions received during the public consultation period in respect to the proposed rezoning of Daisy Hill under the Unlocking Logan's Prosperity Amendment. In response to the feedback received from the community, Council will not be proceeding with the rezoning of the area as part of the Unlocking Logan's Prosperity Amendment. Rather, additional consultation will be undertaken before proceeding any further with the proposed zoning change.
3	No objections and approve of the plan to rezone Daisy Hill from low density suburban to medium density town housing.	
1, 4, 11	The proposed rezoning will negatively impact upon the lifestyle, visual ambience and culture of this area. It is widely acknowledged that Daisy Hill is a lush, green area of Logan, well known for its close proximity to various conservation parks, reserves and nature walks. The lifestyle of residents in this area is vastly different to that of inner city living.	
1, 5, 15	Introduction of additional density will create increased noise, traffic and problems for an area that is already busy.	
4	The proposed rezoning from my perspective would see that the area would be more "medium" density than low.	
11	The three parks are not of sufficient scale or quality to support additional development and are unsafe.	
5, 11, 17, 19,	Road capacity is currently not sufficient to account for existing traffic with additional density worsening an existing intolerable situation. In particular it was identified: <ul style="list-style-type: none"> <li>• long queues at Lyndale Street and Daisy Hill Road.</li> <li>• Allamanda Drive/Daisy Hill Road t-section is also unsafe with poor visibility.</li> <li>• Noisy vehicles, exhaust emissions, traffic accidents and road rage happens daily.</li> <li>• There is also not enough parking for the Daisy Hill State School and will create safety concerns for children walking or taking public transport to school.</li> <li>• The new work that is to be done to create a shared cycle and footpath on Daisy Hill Road will also make this unsafe and worse. It is also very rare to see cyclist using this section of the road. It may also reduce the amount of on street car parking on Daisy Hill Road.</li> <li>• To reduce congestion in the proposed area, the council should complete the connection of Chatswood Road, Daisy Hill to Chatswood Road, Shailer Park. This would move traffic more freely though the area.</li> </ul>	

Submission	Matter	Council's response
11	There is no demand for townhouses at this location.	
11	The infrastructure is not adequate and currently under strain from existing population of the area.	
17	Land size in this zone is not large enough to construct a townhouse.	
17	Increasing the density will result in vegetation loss. Houses in this area were constructed in the 1980s and in the last 40 years, trees have been established, cooling the area.	
5	The zoning change will have significant impact to the local community, and has been proposed through a planning scheme amendment, without local area planning, community consultation, or relevant planning studies to support this density increase.	
5, 15	The consultation on Logan Planning Scheme Amendment is being undertaken at a time where the elected councillors for Logan City have been removed from office, and therefore the community is not represented at Council.	
5	The public consultation has been undertaken over Christmas holidays, resulting in many community members being away, and unable to be fully informed on the significant change being proposed, and with reduced time to prepare submissions.	
5, 15	No public meetings or opportunities to speak with planning professionals has been provided for this change, and therefore the community are not supported in understanding the implications of this change, resulting in a lack of democratic process.	
5	Need to consult renters too.	
15	There has been no consultation with residents and it makes me wonder if this decision made is because most of the houses around this selected area are Queensland public housing.	
5	Suspend the consultation period to allow for good governance: democratic representation, social inclusion and meaningful community consultation	
1	Townhouses are largely developed for the purposes of investment. The proposed rezoning for townhouses will increase rentals as opposed to owner occupied homes. This is never a positive aspect for an area. Increased renters will bring about more unsavoury characters to the area and increased damage to the neighbourhood and public property.	
15	The value of properties could devalue with an influx of townhouses.	
4	I have put a considerable amount of money into renovations in the past few years and am getting my home the way I want it to be. Financially to move and start over would be problematic for me.	
<b>204 Rochester Drive, Mount Warren Park</b>		



Submission	Matter	Council's response
2, 9	The proposed rezoning of this premise to Low impact office precinct of the Specialized center zone is supported. It is considered the new precinct is more compatible with existing uses approved over the site.	Council appreciates your expressed support for the Unlocking Logan's Prosperity Amendment.
9	The change of the designation of the subject site to a more traditional 'commercial corner location' precinct and zone will also assist highly in achieving Council's intent of the proposed amendment, as a more flexible and varied range of uses will now be able to be undertaken on the site.	Council appreciates your expressed support for the Unlocking Logan's Prosperity Amendment.

### 501-503 Browns Plains Road, Crestmead

8	The proposed rezoning from the Infrastructure precinct to the Community purpose precinct of the Community facilities zone is supported and considered more suited to the current use as emergency services.	Council appreciates your expressed support for the Unlocking Logan's Prosperity Amendment.
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## LAND USES

### Mixed Use Zone – Industry Precinct

6	We would like to know why Council has failed to notify us as we are also directly affected by these proposed changes.	The public notification period and methods of notification have been undertaken in accordance with the relevant legislative requirements of the <i>Planning Act 2016</i> and associated Ministerial Guidelines and Rules. Landowners and residents where adjoining land in which rezoning is proposed have been notified via mail. In addition, the community was notified of the proposed amendment through placement of a public notice in the Courier Mail and two local newspapers, being the Jimboomba Times and the Albert and Logan News. The amendments were also on display at Council's service centres at Logan Central, Jimboomba and Beenleigh. Council's website was also updated to advise of key dates and activities with the proposed amendment available for viewing online.
6	We have enclosed copies of previous correspondence from councillor, Russell Lutton, assuring us that "the dense landscaping and acoustic amenity wall will provide a level of screening for the buildings when viewed from Bardon Road".	The proposed amendment provides for landscaping at a minimum width of 5m in addition to a visual amenity wall in sections adjoining Bardon Road. This seeks to create a visual buffer to industrial operations where interfacing with residential properties whilst allowing for the growth of the industrial area.
6	We are affected by noise from this area and the noise that was created by the building of the supposed "acoustic" wall. The wall is far from being acoustic as it merely amplifies the sound of the traffic along Bardon Road and we would hardly call the landscaping "dense". Traffic noise continues to be loud and at times the forklift noises continue to be audible. So we have little faith that "any business that operates in the	The proposed wall seeks to visually screen future industrial operations via a 5m high wall of varied colours. This wall will be setback from the road and improved by a 5m wide landscaping strip. The proposed landscaping treatment will further soften the presence of industrial development and deliver natural visual aesthetics

Submission	Matter	Council's response
	sheds will have to comply with appropriate noise conditions" (Cr Lutton, 28 September 2015)	along the road frontage. The noise of future industrial developments will be managed through the planning scheme's "Management of emissions and hazardous activities code". This code contains rules for managing offsite impacts for industrial operations where in proximity to sensitive land uses. Should you believe a development is exceeding the noise rules set out in this code, please contact Logan City Council with details of the alleged non-compliance.
6	Building heights will be increased from 15 metres to 20 metres. That will mean that more of the buildings will be visible to residents. A letter received from Councillor Lutton in 2015 stated "the only part of the building that you will see from Bardon Road should be the roof". The building already under construction shows more than the roof. Industrial buildings will be visible to residents and represents an unsightly view of industry from residential across the street.	The proposed increase in building height to 20m seeks to accommodate emerging innovative storage and warehousing technologies. Embracing emerging technologies and new emerging opportunities is part of the Queensland Government's goals for South East Queensland in delivering prosperous economies. The building height is increased to 20m where located more than 15m from residential zoned land. The existing vegetation along the road frontage in addition to the new landscape buffer in sections adjoining Bardon Road seeks to reduce the visual impacts.
6	Incompatibility of industrial precinct extension in relation to existing educational school at Berrinba State School.	The school currently adjoins the Mixed use zone. In this zone, industrial operations of Low impact industry and Warehouse uses can be established. The proposed amendment seeks to build upon the established and emerging industrial nature of this Mixed use area. In recognition of the new industry precinct proposed and its proximity to the school, the proposed amendment also introduces the Berrinba Amenity Buffer. This requires a 5m wide landscape buffer area where adjacent the boundary of the school. Council also contains rules for noise and air pollution from industrial operations within the planning scheme's "Management of emissions and hazardous activities code". This will ensure future industrial operations will be appropriately managed in respect to nearby sensitive land uses.
6	We have received assurances there is to be no access from Gilmore Road onto Bardon Road. The road has not been permanently closed and we maintain concerns the concrete bollards may be removed in future and the road open once again.	The proposed Unlocking Logan's Prosperity Amendment will not vary the existing restricted access to Gilmore Road. No change to the existing temporary road closure is proposed as part of this amendment. As part of the Berrinba general planning layout (Figure 7.2.1.5) of the current planning scheme, this intersection may be explored in future to provide access only for/restricted to public transport.
6	What assurances do we have that the businesses that will occupy this space will not	The proposed Industry precinct seeks to refine the existing Mixed use zoning

Submission	Matter	Council's response
	diminish our quality of living in regards to noise and air pollution among other concerns?	to align with the established and evolving industrial operations of the area. The amendment will provide guidance on the future development of industries within the Mixed use zone while excluding incompatible sensitive land uses from being located in this predominantly industrial area. All Industry activities (including Warehouse, Research and technology, and Medium impact industry) will be required to comply with section 9.4.5 Management of emissions and hazardous activities code. This code contains rules to ensure sensitive land uses are not unreasonably exposed to air and noise emissions from industrial operations. Should you suspect a development is not complying with Council's noise and air emission rules, please contact Logan City Council with details of the alleged non-compliance.
6	<p>Council fails to properly consult with residents about decisions which often affect the amenity of their streets and their homes.</p> <p>Cr Lutton states in his correspondence dated 1 September 2015 that "full community consultation was conducted and that the rezoning was supported by the community" and that "consultation as conducted in the last two years and no submissions were made on proposed land uses." We would refute this, as on numerous occasions we made submission to Council and never heard a response.</p>	<p>Logan City Council welcomes all community feedback which can be provided during the public notification period or informally at any time. All feedback received is valued by Council and is considered when guiding future planning policy outcomes and intents for the growth of Logan. The public notification period and methods of notification have been undertaken in accordance with the relevant legislative requirements of the <i>Planning Act 2016</i>.</p>
7	<p>Presently, the property at 97-109 Bardon Road, Berrinba is vacant but it is intended to develop the property for the purpose of the operation of a non state school. Please note:</p> <ul style="list-style-type: none"> <li>• An arrangement has been entered into with the owner of the property to lease the premise for the purposes of an educational institution which has been approved by the relevant State Department, namely the non State Schools Accreditation Board.</li> <li>• The property seems to have been approved by the Council in about 2017.</li> </ul> <p>I am concerned the proposed new mixed use zone industry precinct may impact upon the proposed use of the above property. Please confirm that there is no intention by the Council to affect the proposed plans for the use of the property as a non state school facility.</p>	<p>The proposed establishment of the Industry precinct within the Mixed use zone seeks to refine the land use mix in this location to better reflect existing uses and guide future land use decisions. This location is one of Logan's more successful industrial areas with a distinctive development pattern and character for freight, logistics and distribution. Council seeks to build on this success and facilitate the establishment of further logistics based activities in Berrinba. The proposed Industry precinct will build upon this established and emerging industrial area whilst removing incompatible sensitive uses, such as a schools. The proposed Industry precinct will guide future development. It will not affect any existing lawful development permits issued by Logan City Council. With respect to the identified parcel, please be advised that Council's records do not indicate any existing development permits for an Educational establishment at this location.</p>

Submission	Matter	Council's response
10	We support the inclusion of an Industry Precinct for the Mixed Use zone to specifically support consistent industry uses (and avoid conflict of uses with sensitive use) and increase building heights to respond to current and emerging industry uses with Berrinba.	Council appreciates your expressed support for the Unlocking Logan's Prosperity Amendment.
12	It is proposed to undertake amendments to the Mixed Use zone in terms of incorporating the new Industry Precinct. Given this change involves the introduction of Medium impact industry where limited to spray painting, indoors and in a booth as per the overall outcomes, it is recommended that the wording is amended as per the below and included in both the Category of Assessment Table and the overall outcome for the Industry Precinct of the Mixed Use zone: <i>"if in the Industry precinct for a spray painting workshop where in a totally enclosed building or booth"</i>	Council has reviewed the suggested revised wording. It is agreed consistent wording is required between the Category of Assessment table and overall outcomes of the zone code. In addition, a distinction between indoors or a booth (which by nature is enclosed) is required. Council therefore proposes to amend the wording of this provision, to limit Medium impact industry within the Industry precinct to a spray painting workshop that is within a totally enclosed building or booth. To assist in the consistency requested in this submission, reference to "motor vehicle" spray painting as per the overall outcome has been incorporated within the Category of Assessment table in combination with the reference to "totally enclosed building or booth".
12	The proposed amendment seeks to introduce the Industry Precinct within the Mixed Use zone and associated overall outcomes for this precinct. Similar to the existing overall outcomes of the Mixed Use zone where not within a precinct, the overall outcomes for the Industry Precinct should also make reference to development: a) delivering a safe and functional road network; and b) being responsive to site characteristics.	The delivery of a safe and functional road network, and site responsive design is intended to apply to all development within the Mixed use zone. It is agreed this provision therefore needs to be identified for development within the Industry precinct and the overall outcomes have been amended accordingly.
<b>Breweries</b>		
10	We support the enabling of Low Impact Industry uses for breweries in the Centre zone, as well as for the Beenleigh, Logan Central, Shailer Park and Springwood local plans.	Council appreciates your expressed support for the Unlocking Logan's Prosperity Amendment.
12	The proposed amendment seeks to make breweries (Low Impact Industry) Code Assessable where in all centres, excluding neighbourhood centres. In addition, the amendment seeks to make breweries Code Assessable within the Beenleigh, Logan Central, Shailer Park and Springwood Local Plans. It is recommended the same category of assessment for this use is transferred to both the Browns Plains and Jimboomba Local Plans which are also major centres.	The proposed amendment seeks to encourage breweries, where Low Impact Industry, within centres and local plan areas (where major centres). In response to your feedback, Council agrees this use should be encouraged within the major centres of Browns Plains and Jimboomba which would be consistent with their incorporation within Beenleigh and Logan Central. The Table of Assessment for Browns Plains and Jimboomba have therefore been amended to reference Low impact industry as code assessable where a brewery. No amendment to these local plans codes are required as both the Browns Plains and Jimboomba local plan codes reference Major centre activities (which the

Submission	Matter	Council's response
		proposed amendment seeks to update to this defined activity group to include Low Impact industry (where a brewery)).
<b>Short Term Accommodation</b>		
10	Support the allowing of Short-term accommodation land uses within the Logan Village local plan to facilitate the delivery of this activity	Council appreciates your expressed support for the Unlocking Logan's Prosperity Amendment.
12	The amendment seeks to increase opportunities for Short- term accommodation within the Village Precinct and the Centre Frame precinct of the Logan Village Local Plan. It is recommended this Use is encouraged for all precincts within the local plan. As such, "Short-term accommodation" should also be referenced where within the Centre Core precinct of the Logan Village Local Plan.	The amendment is intended to encourage Short-term accommodation within the Logan Village local plan area. The Centre frame precinct and Village precinct support Local centre activities which include the residential land uses of Multiple dwelling, Residential care facility and Retirement facility. Consistent with these precincts, the Centre core precinct also supports Local centres activities where a combination of at least two uses, and inclusive of the above listed residential land uses. The inclusion of Short-term accommodation within the Centre core precinct is therefore compatible with the precinct intent (which includes residential uses) and will also advance opportunities for Short-term accommodation within the local plan area. As such, it is proposed that the local plan be amended to support Short-term accommodation where combined with other Local centre activities as per the mixed use intent of this precinct. It is also proposed that the overall outcome introducing Short-term accommodation into the Village precinct be reworded to reduce ambiguity.
<b>Economic Activity</b>		
<b>New and Expanded Centres</b>		
10	Separation distances for 'new' centres in relation to existing centres within the Emerging Community Zone are too prescriptive, creating strong locational control for smaller or less intensive centres. This creates concerns in terms of its potential impact upon the local catchments.	<p>The separation distances for new centres within the Emerging Community zone strengthens the intent to:</p> <ul style="list-style-type: none"> <li>• provide development in an orderly, integrated manner in communities that have not been, or are in the process of being, established; and</li> <li>• not impact upon existing, planned or approved centres which are intended to cater for the relevant catchment.</li> </ul> <p>The proposed separation distances:</p> <ul style="list-style-type: none"> <li>• are not extensive with separation distances of 1-2km being reasonable to mitigate potential catchment overlap; and</li> </ul>

Submission	Matter	Council's response
		<ul style="list-style-type: none"> <li>would not represent an unreasonable imposition upon a traveller where demand would occur. Within the standard environment anticipated, the separation distance would equate to a travel time difference of one-two minutes from an existing centre. Therefore, should an existing or approved centre not cater for a specific demand, it can be reasonably assumed that a reasonable consumer would travel an additional one-two minutes to address a compelling need.</li> </ul>
10	<p>The separation distances proposed for new Local and Neighbourhood centres within the Emerging Community Zone will not adequately respond to changing circumstances. Greater flexibility should be provided for future developments to include these precincts as necessary for retail and commercial serving to future communities. It is recommended Council remove all separation distances for Local and neighbourhood centres in relation to an existing, planned or approved centres, and, separately, insert this provision (for Emerging communities) within the relevant zone code and remove it from the strategic framework.</p>	<p>The proposed locational provisions provide strategic guidance to evolving communities and supporting services. As noted above, the proposed separation distances are not excessive, nor considered to create an unreasonable burden. "Relevant matters" under <i>Planning Act 2016</i> provides for changing circumstances and as such, flexibility to development can be provided upon the applicant's demonstration. Council also notes that as Emerging Community zoned areas are developed, this land is likely to be rezoned to align with the new growth of the area and development pattern. Correspondingly, the separation distances prescribed for Emerging Community zoning will no longer be applicable.</p>
10	<p>The inclusion of the locational requirements for Centres within the Emerging Community Zone of the Strategic framework prohibits any prospect to allow for future development proposals to detail reasoning beyond assessment benchmarks.</p>	<p>The location provisions are required to address the occurrence of ad hoc and overlapping centres within the Emerging Community zone. The Strategic Framework remains an assessment benchmark for Impact Assessable development under the planning scheme. The proposed strengthening of Council's intent for out of centre development in Emerging Community zone does not negate the applicant's ability to detail reasoning beyond the identified assessment benchmarks. In accordance with s45(5) under the <i>Planning Act 2016</i>, assessment can have regard to any other relevant matter which includes planning need and current relevance of assessment benchmarks in light of changed circumstances.</p>
13	<p>The redirection of the "unless" criteria is supported given it provides increased certainty and robustness to the scheme.</p>	<p>Council appreciates your expressed support for the proposed amendment.</p>
13	<p>Development for centre uses are still considered to be out of centre development, whether compliant with the intent of the relevant local plan or not. Therefore, it is requested</p>	<p>It is acknowledged that the development of a centre in the Emerging Community zone is considered 'out-of-centre'</p>

Submission	Matter	Council's response
	assessment of centre uses within the Emerging Community zone be included within the overall assessment of centre activities. This change ensures that, regardless of compliance with the locational criteria for the Emerging Community zone, that the same assessment of suitability and sustainability of centre uses is undertaken – city wide.	development. It is therefore proposed that the drafting of this provision be refined to clarify this matter. It is also noted that the provisions relating to community and economic need, scale compatibility and avoidance of adverse impact on existing centres also apply to centres proposed in the Emerging Community zone, in addition to the proposed introduction of separation distances.
13	A number of local plans, prepared and endorsed by Logan Council, do not recognize the need for a district centre. The inclusion of “where in the emerging community zone, a district centre, local centre or neighbourhood centre” is requested to be strengthened to ensure district centres are only proposed where advancing the intent of the endorsed plan. Such an example is including the relevant reference to district centre within the locational listing below 1.v. and identifying “only be a district centre, where identified in the relevant local plan”.	District centres may be appropriate in the Emerging Community zone where appropriately separated from other centres so as to ensure their continued viability. For this reason, the amendment proposes to incorporate stringent separation distances of a minimum of one kilometre to an existing, planned or approved neighbourhood centre, two kilometres to an existing, planned or approved local centre, and five kilometres to an existing, planned or approved district centre, major centre or principal centre.  Furthermore, local plans typically guide development in the city's urban centres. Accordingly, local plans do not regulate development in the Emerging Community zoned areas and therefore, would not be an appropriate tool for regulating the development of centres in this zone.
12	The proposed amendment seeks to rearrange the provisions pertaining to new and expanded centres. This amendment requires all Centre Activities to meet provisions (b) and (c). Previously, these aspects only applied to Centre Activities where within a centre. Some elements of the new proposed provisions, such as aligning with the specific role of the centre hierarchy, will present complications in demonstrating compliance where centres are located outside of designated centre zoning/framework. Therefore, it is recommended further consideration is given (and amendment undertaken where necessary) to the sequencing and/or statements intended to be applicable to centre activities where outside of existing centre zones.	The sequencing of the subject element of the Strategic Framework is proposed to be refined to ensure clarity of interpretation and application. Specifically, former provisions (b) and (c) (now proposed as (c) and (d)) are proposed to be prefaced with “where located in a centre” in order to avoid the need for out-of-centre development (such as development in the Emerging community zone) to demonstrate compliance with these unintended provisions.
12	It is recommended the proposed aspect 3.5.8.1(2) is integrated within section 3.5.8.1(1)(a)(v). This would collate all relevant provisions pertaining to Centres within the Emerging Community Zone.	It is proposed that the additional locational requirements for the development of centres in the Emerging community zone continue to be segregated from the separation distance requirements for such centres. This is due to the structure of the two provisions (the former being a series of statements separated by ‘or’ and the latter being a series of statements separated by ‘and’). In order to ensure accurate interpretation and application of the two provisions, it

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		is proposed that they remain segregated.
12	Consideration should be given to providing certainty to the relevant application of these provisions. The current heading pertains to "Centres" rather than to all "Centre Activities" in their entirety as intended.	It is proposed that the heading of section 3.5.8 of the Strategic Framework be revised from "Element--New and expanded centres" to "Element--New and expanded centres and centre activities". This proposed refinement will ensure the applicability of the subsequent provisions to the establishment or expansion of standalone centre activities (such as Service stations or Child care centres) that are not within the Centre zone. Similarly, this will also ensure the applicability of these provisions to the development of centres in the Emerging community zone.
<b>Mixed Use Zone</b>		
12	<p>The proposed Accepted Development Subject to Requirements provisions allows for new built forms of Service Industry Uses to be constructed, pending compliance with the relevant assessment benchmarks as identified within the table. Within these relevant assessment benchmarks, there are no provisions for the establishment of public realm improvements such as footpath upgrades or street tree provisions. Given the provision of streetscape works are within reason for new developments (and not re-used buildings), it is recommended either:</p> <ul style="list-style-type: none"> <li>a) a new Acceptable Outcome under the Mixed Use Zone code is established. This AO would detail the provision of footpaths and streetscape improvements where a new building for Service Industry is Accepted Development Subject to Requirements and not involving the re-use of an existing building on an established premise; or</li> <li>b) AO1 of the Infrastructure Code and the Landscape Code are updated to make reference to compliance with the relevant Standards of Part 3 of the Infrastructure PSP where a new building is constructed.</li> </ul>	Council has reviewed your submission and acknowledges the relevance of your representations. The Unlocking Logan's Prosperity Amendment proposes to include the Infrastructure code as an assessment benchmark for Service industry where accepted development (subject to requirements). AO2 of this code applies to both accepted development (subject to requirements) and assessable development. Within this acceptable outcome, there is an extensive list of the relevant infrastructure provisions required to be complied with. To avoid duplication, it is proposed to maintain this provision within AO2 of the Infrastructure code at present with further consideration to be given upon review of future development's implementation of the relevant assessment benchmarks and associated necessity for infrastructure reinforcement within this use code.
12	The amendment seeks to enable Service Industry to be eligible for Accepted Development Subject to Requirements under the Mixed Use zone. The requirements for meeting the Accepted Development criteria makes reference to the Mixed Use Zone Code. Within the relevant provisions of this Code, there is no applicable Acceptable Outcome for delivering high quality built forms in terms of design e.g. articulation, orientation. As per the nature of Accepted Development Subject to Requirements, Performance Outcomes do not form part of the assessment. Consequently, while PO8 is located within the Accepted Development Subject to Requirements component of the assessment table, there is no	Council acknowledges the relevance of your submission and has registered the need for an acceptable outcome pertaining to built form design in the Mixed use zone code for consideration in a future planning scheme amendment.



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	<p>corresponding Acceptable Outcome. Therefore, new built forms established under the Service Industry Use will not trigger any building design outcomes. Accordingly, it is suggested AO8 be amended to provide reference to specific provisions where development is "Accepted Development Subject to Requirements". As part of this AO, it is also suggested consideration is given to detailing treatment of non-built to boundary walls.</p>	
12	<p>It is understood the proposed revision seeks to address administrative operations that are ancillary to the main use (and as such, is not defined as a separate Office use). However, this change in wording results in no provisions being provided for an Office use within the Mixed Use Zone Code. Given:</p> <ul style="list-style-type: none"> <li>a) an Office use is encouraged within the zone where not in the Industry Precinct; and</li> <li>b) there is an overall outcome which references such a use is supported where not stand alone;</li> </ul> <p>an Acceptable Outcome pertaining to an Office use should be incorporated, otherwise there is no provision to ensure an Office is not stand alone for a code assessable application (which do not trigger assessment against the overall outcomes of the zone code). It is also suggested that clarification is provided to ensure a separate defined Office use does not trigger assessment within respect to the proposed AO2 (which is intended for ancillary administrative functions only).</p>	<p>It is proposed that a new performance outcome and acceptable outcome be introduced to the Mixed use zone code to ensure that Offices are adequately regulated. In alignment with the overall outcomes of the code, it is proposed that these new provisions seek to ensure Offices are not located in the Industry precinct and where outside of this precinct, are small-scale to meet the needs of the local workforce. It is also proposed that an editor's note be introduced to PO5/AO5 to clarify that the provisions regulating administrative functions associated with industry uses are not applicable to the defined land use of 'Office'.</p>
<b>Activation of Anzac Park</b>		
12	<p>The amendment seeks to relocate the pedestrian network through the Anzac Park under Figure 7.2.5.4.2. It is recommended the streetscape activation is partially extended to the corner of the southern premise along Logan Road where entering Anzac Park to highlight the pedestrian access to the park.</p>	<p>Council agrees the streetscape activation ought to extend to highlight the entrance to Anzac Park. The figure has accordingly been updated to extend the length of the demarcated streetscape activation.</p>
<b>Balance of Streetscape Activation and Residential Redevelopment</b>		
12	<p>The amendment seeks to allow for residential ground floor operations to occur where situated behind an active streetscape use within the Loganholme Local Plan. It is suggested the overall outcome (3)(f)(ii) could be further refined to strengthen the intended outcome. In its current state, the overall outcome identifies residential uses "do not compromise the economic function or activity of the precinct...". This provision will be difficult to enforce for a small scale, individual development site in which a singular premises is unlikely to compromise the economic function of the entire precinct.</p>	<p>It is acknowledged that an accommodation activity located on the ground floor of the Bismark Street neighbourhood centre precinct or Bryants Road local centre precinct is unlikely to compromise the economic function or activity of the precinct. It is therefore proposed that the relevant overall outcomes be revised to specify that such development is not to compromise the street level activation of the precinct.</p>
<b>Rural Residential Amenity</b>		
<b>Rural Residential Zone</b>		
12	<p>The amendment proposes to revise the Rural residential zone code acceptable outcome with</p>	<p>AO8 of the Rural residential zone code seeks to ensure that development</p>

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	respect to emissions to make reference to the Rural residential zone (excluding the Cottage Rural Precinct). This aligns with the application of the referenced Table 3.2.1.1 in PSP 3. For consistency of residential amenity, it is recommended this amendment is furthermore transferred to all residential zone codes under the acceptable outcome where referencing emissions. This will ensure land within all residential zones accounts for amenity of adjoining land where within the Rural Residential zone (except for the Cottage Rural Precinct) as per the intent of the referenced PSP 3 Table.	appropriately manages emissions to avoid adverse amenity impacts on adjoining premises. Consequently, this provision is included in most zone codes. It is acknowledged that the existing reference to 'residential zone category' results in the application of this provision being limited beyond that intended by Planning scheme policy 3—Environmental management. It is therefore proposed that (a) of this provision be amended in each zone code to specify that, where development adjoins a zone identified in section 3.2.1(1)(a) of PSP 3, development must comply with the noise emission standards for the protection of residential amenity.
12	It is recommended the reference to the Rural residential zone (except Cottage Rural Precinct) is transferred to the Performance Outcome for consistency and to ensure applicants triggering a Performance Outcome account for an adjoining Rural Residential zone as well.	It is acknowledged that the existing reference to 'residential zone category' results in the application of this provision being limited beyond that intended. It is therefore proposed that this performance outcome be amended to remove the reference to 'residential zone category' in all zone codes that include this provision.
12	The referenced Table 3.2.1.1 under PSP 3 is identified as applicable to other zones, such as Community facilities and Emerging community. All relevant zone codes' containing an emissions AO/PO should therefore be updated to reference the relevant zones/precincts that are applicable to Table 3.2.1.1.	It is proposed that the provision in each zone code relating to noise emissions standards for general amenity specify that such standards only apply where adjoining land in the zones identified in section 3.2.1(1)(b) of PSP 3 (being the Centre zone, Low impact industry zone, Medium impact industry zone, Mixed use zone and Specialised centre zone). This refinement will ensure that general noise emission standards are not inadvertently applied to development occurring on sites adjoining zonings other than that where the such standards are intended to apply.

## Residential Redevelopment

### Subdivisions

10, 18	Support the revised qualifying lot size from 600m <sup>2</sup> to 500m <sup>2</sup> for Reconfiguring a Lot within the Low-medium density residential zone – Townhouse precinct.	Council appreciates your support for the Unlocking Logan's Prosperity Amendment.
18	There remains no provision for rear access lots in the Townhouse precinct. If density matches the suburban zone, the other criteria should be the same. Many townhouse zone sites will be undevelopable for subdivision if rear access lots aren't allowed.	It is proposed that the Reconfiguring a lot code continue to deter the creation of rear lots in the Townhouse precinct. As this precinct is typically located within close proximity of centres, rear lot subdivisions are not considered to be the highest and best use of such land.
18	Clarification is requested in regards to the increased driveway width of 5.5m which will add extra cost.	The minimum access widths required under the planning scheme have not been increased. The minimum access width required has been reduced

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		<p>where servicing two-four rear dwellings with the current planning scheme provisions identifying a minimum width of 6m and pavement width of 5.5m. The proposed amendment will result in a minimum access width of 5.5m and a pavement width of 3m with a passing bay every 30 metres for access strips servicing two-four rear dwellings.</p>
18	<p>The provision of passing bays is supported. This should be applied to all types of driveways regardless of the number of properties accessed.</p>	<p>The provision of a passing bay for a single residential rear dwelling is not considered reasonable given the low vehicle movements of the development. Where servicing five or more rear dwellings, the proposed minimum pavement width provides for two-way vehicle movement in acknowledgement of the increased vehicle operations. This removes the need for a passing bay. Hence, the proposed parking bay provisions have been limited to where servicing two-four lots.</p>
12	<p>It is proposed to amend the standards for residential driveways in respect to rear lots. In particular, it is noted Table 3.4.5.1.2 intends to achieve the provision of passing bays where driveways exceed 30m in length and service 2-4 lots. To avoid confusion, it is recommended the referenced footnotes (1 and 2) are incorporated within the cells which identify this feature is required i.e. where statement "yes" is identified. In its current location in the column heading, this could be potentially misconstrued as requiring all development to provide passing bays.</p> <p>This provision is furthermore transferred into the Reconfiguring of a Lot Code. It is recommended consideration is given to:</p> <ul style="list-style-type: none"> <li>a) the presentation of these details within this code to improve the compartmentalization of this provision. For example, the provision of a singular table for standard lots and separate table for rear lots could be provided; and</li> <li>b) Updating the corresponding Performance Outcome 3 of the Code to reference safety functions of lots in which the amendments to the standard seek to achieve.</li> </ul>	<p>Council has amended the location of the footnote within the individual cells that identify "yes" to avoid potential confusion and appropriate application of the relevant provisions. In addition, Performance Outcome 3 has been amended to make reference to lots being safely accessed and serviced as per the intended introduction of passing bay requirements. Council has furthermore amended the layout of the of the reconfiguring of lot table requirements to provide for improved presentation with additional details of PSP 5 incorporated within a new table to identify the additional requirements for rear lots. To ensure clarification for the details within this table, a new AO and PO has been incorporated which reflects the information regarding passing bays and refuse collection as proposed within the PSP 5 amendment.</p>
<b>Technical Provisions</b>		
<b>Filling and Excavation</b>		
12	<p>It is proposed to introduce PO7 within the Dual Occupancy and Dwelling House Code to enable assessment of earthworks (where &gt;1m above ground level) in accordance with specific sections of the PSP 5. As identified in the explanatory report, "There have been instances where such earthworks and retaining walls have caused problems by not complying with the requirements in PSP 5". To further strengthen this provision and remove potential for future potential non-compliance, it is recommended</p>	<p>AO7 of the Dual occupancy and Dwelling house code is proposed to be updated to reference the overall Filling and Excavation Standards of Part 3.3 of Planning scheme policy 5 – Infrastructure. Given the increase in provisions as well as the existing retaining wall and batter provisions specify RPEQ certification where relevant, it is not considered RPEQ certification reiteration within AO7 is</p>

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	compliance with AO7 and relevant provisions of associated PSP5 is certified by an RPEQ. As such, AO7 should be amended to include reference to "and certified by a Registered Professional Engineer of Queensland (RPEQ)".	necessary at this stage. Following review of the application of this provision to development, further consideration to the incorporation of RPEQ certification may be undertaken.
12	Within the referenced items of PO7 of the Dual Occupancy and Dwelling House Code, it is recommended further consideration is given to including reference to additional sections of the Filling and Excavation Standards under Part 3 of PSP 5 to ensure all relevant components are addressed/met.	The proposed AO7 of the referenced code has been reviewed and amended to reference Section 3.3. - Filling and Excavation Standards of Planning scheme policy 5 – Infrastructure.
12	The proposed amendments seeks to alter Performance Outcome 8 of the Filling and excavation code. The intended alterations remove significant outcomes, such as the safety and stability of retaining walls. This element is an important outcome for retaining walls, particularly when such provisions are otherwise unregulated e.g. ROL applications which do not involve Building Work assessable under the <i>Building Act 1975</i> . It is therefore recommended the proposed amendment to this PO8 in its entirety is removed until such a time further consideration is given to the intent of this Performance Outcome.	Council agrees the existing provisions provide significant outcomes which can be otherwise unregulated. As such, it is proposed that portions of the proposed amendment to PO8 of the Filling and excavation code be removed. The only change to this provision proposed to be retained will be the introduction of a requirement for retaining walls to achieve a minimum design life of 60 years.
12	The proposal seeks to amend elements pertaining to retaining walls under Part 3 of PSP 5. With respect to aspect 9, it is considered the first statement identifying " <i>retaining walls are not permitted in detention basins unless approved by Council</i> " is vague and enables interpretation of numerous opportunities for retaining walls within detention basins where approved by Council. To avoid this and to strengthen the circumstances of where retaining walls are permitted, it is recommended this sentence is removed and the provision solely identifies the circumstances for where retaining walls in detention basins are supported as per the second sentence of aspect 9.	Council has reviewed your representations and agrees the reference to "retaining walls are not permitted in detention basins unless approved by Council" could be misinterpreted. This sentence will be removed from this component of Part 3 of Planning scheme policy 5 – Infrastructure.
<b>State Planning Policy</b>		
12	The proposed amendment seeks to update Acceptable Outcome 4 of the Infrastructure code to make reference to the latest assessment benchmarks of the State Planning Policy – state interest guidance material: Liveable communities. The proposed wording omits reference to the triggering criteria of the extracted Acceptable Outcome. Accordingly, currently all development triggers assessment against this AO, instead of only the development that falls within the relevant qualifying criteria of the SPP. The proposed AO4 should be amended to make reference to the qualifying criteria as relevant under the SPP as follows: <i>Development involving:</i> 1) <i>a material change of use or reconfiguring of lot for the purpose of residential, commercial or industrial development where part of the development or any building is more</i>	A review of the current State Planning Policy guidelines has been undertaken. The intended update to the current provisions inadvertently resulted in the removal of the relevant triggering criteria. As such, AO4 of the Infrastructure code has been updated to reference the qualifying criteria of where "involving a Material Change of Use or Reconfiguring of a Lot where, or to be, accessed by common private title...".

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	<p><i>than 90 metres from the nearest located fire hydrant; or</i></p> <p>2) <i>attached and detached buildings, not covered in other legislation or planning provisions mandating fire hydrants; or</i></p> <p>3) <i>will include streets and common access ways within a common private title in areas serviced by reticulated water...</i></p>	

## Environmental

### Berrinba General Planning Layouts for Areas

14	<p>A new position for the proposed road needs to be found. The proposed new road at this reserve contains large old scribbly gums (Eucalyptus racemose) which are the only ones left that were all along Gilmore Road in dryer areas. These are needed for hollows for wildlife breeding. To take 20 meters of this part of bushland is denying future space for regeneration of scribbly gums for future. These dryer scribbly gum areas are the same as in Karawatha forest, just across Wembley Road. These areas can have ground orchids randomly appear after rain, some are dipodium punctatum and dipodium hamiltonium. Also as in Karawatha, geodorum densiflorum. At times it looks dry, this does not mean it's not worthy of protection. The western area of this reserve is the same as scribbly gum areas in Karawatha (recently seen in Karawatha 50 species in flower of these Shephora Crook). Various types of uncommon plant species can regenerate as in Karawatha. These generate randomly.</p>	<p>While the proposed road is to be relocated east of its formerly-proposed location, this will facilitate the closing of the unformed portion of Lakemba Street between Wembley Road and Gilmore Road. This will enable the protection of additional vegetation to enhance fauna and flora values in the area.</p>
14	<p>To resume a part of the south-western area sets a dangerous precedent. This offset for Lakemba Street is unacceptable.</p>	<p>The offsetting of the relocation of the proposed road with the closure of Lakemba Street between Wembley Road and Gilmore Road will enable a net increase in the area of protected vegetation. This will facilitate enhanced fauna and flora values in the area.</p>
14	<p>All fauna and flora from Karawatha Forest would/could be found in Catherine Paulsen Reserve. 24 frog species from Karawatha, some of these are found in this reserve wetland. Some frogs may need a dryer area to hibernate. Some species are green-thighed frog, wallum froglet, tusked frog etc.</p>	<p>Council acknowledges the ecological value of the biodiversity corridor and has accordingly identified it within the Biodiversity areas overlay of the Logan Planning Scheme 2015. This identification will ensure that the ecological values of the corridor are protected.</p>
14	<p>Pollution run off from proposed road has the potential to damage the wetland habitat of a great diversity of species.</p>	<p>Stormwater from the proposed road will be appropriately discharged to a lawful point of discharge in accordance with the requirements of the Logan Planning Scheme 2015.</p>
14	<p>There needs to be wildlife proof fencing along east and west sides of Catherine Paulsen Reserve from Wembley Road to Gilmore Road.</p>	<p>Fencing will be considered at the time of detailed design of the proposed road.</p>
14	<p>The wetland corridor on the east needs a good size riparian area to protect the significant habitat. This in turn protects Scrubby Creek and then the Logan river from pollution.</p>	<p>The biodiversity corridor to the east of the proposed road (encompassing wetland and waterway) will experience a net increase in protected vegetation through the closure of the unformed</p>

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		portion of Lakemba Street between Wembley Road and Gilmore Road. This will facilitate enhanced fauna and flora values in the area.
16	<p>The amendment proposes to clear "less than 5 hectares" from the Catherine Poulsen Reserve at Berrinba, which is a State Significant Corridor with Remnant Vegetation. Is this some code for Code Development or SDAP?</p> <p>This is unacceptable clearing if it is 5 ha, given the extended effort to get the lands acquired and 2 species of rare frogs found on Gilmore Road and the creek by Brisbane Frog Society circa 1990.</p> <p>It does not say how much less than 5 ha? The dimensions given by staff suggest 20 metres by 180 metres for an Industrial Access Road which is 0.36 ha. Where is the other 4 ha to be cleared and for what purpose? Is this fake consultation?</p>	The relocation of the proposed road will not result in the clearing of five hectares of vegetation. The reference to 'five hectares' relates to the threshold for clearing 'matters of state significance' vegetation at which point referral to the state government is required.
16	The habitat is remnant Scribbly Gum (koala habitat) and may have hollows like Karawatha. There could be 3 or 4 species of Gliders. Green Fauna Infrastructure -Glider boxes, fauna proof fencing and pollution mitigation, unacceptably is not featured for boundaries or creeks.	While the proposed road is to be relocated east of its formerly-proposed location, this will facilitate the closing of the unformed portion of Lakemba Street between Wembley Road and Gilmore Road. This will enable the protection of additional vegetation to enhance fauna and flora values in the area.
16	The Structure plan should have provided outcomes for the Limited Access Wembley Road, like road network and buffer zones and alignments for Infrastructure featuring bundling of Easements and Ricky Cox 's Extended Domain Design.(DTMR) (narrowing up medians and paths and entry ramps). The Roads flanking the reserve should have u/g infrastructure bundled and powerlines and bikeways put on the other side of the roads to the Reserves, to reduce edge effects and tree loss and aquifer loss.	Being an Urban Arterial road, direct access to Wembley Road is limited. The relocation of the proposed road will entail a shift of the whole road reserve. The carriageway and any other associated infrastructure (such as footpaths) will be located within the road reserve to minimise encroachment into the biodiversity corridor.
16	While Lakemba Road is being closed, it may be less than 2 hectares, it should be closed because of close creek proximity and 3 rare frogs observed and 21 others found upstream in Karawatha in the Sub Coastal Wet Heath mapped by Prof Carla Catterall (1995).	The unformed portion of Lakemba Street between Wembley Road and Gilmore Road is proposed to be closed. This former section of Lakemba Street will then contribute to the biodiversity corridor.
16	The precedent of clearing perhaps 5 hectares of Reserve being hollow bearing or old Growth Scribbly Gum further detracts from other completely cleared Scribbly Gum permitted by DEE and others on Gilmore Road. It is an alarming precedent. While the Biodiversity Mapping at LCC, Regional Biodiversity Values Mapping (Measures That Matter) and Rainforest Mapping (LCC) remain unmapped or ungazetted and State Interests are not spoken for including Koalas.	The relocation of the proposed road will not result in the clearing of five hectares of vegetation. The relocation of the proposed road will facilitate the closing of the unformed portion of Lakemba Street between Wembley Road and Gilmore Road. This will enable the protection of additional vegetation to enhance fauna and flora values in the area.
<b>Administrative</b>		
<b>Consistency and Clarification</b>		
12	It is proposed to replace the reference to "premises" with "site" for Dual Occupancy	Council has reviewed your representation and confirms the

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	(auxiliary unit) and Dwelling House uses within the Emerging Community, Rural Residential, Low Density and Low-Medium Density Residential Zone. This amendment is intended to provide clarification by limiting the building height assessment to the portion of the site where the work is being undertaken. Please ensure this change is also incorporated within the Table of Assessment for Medium Density Residential as identified in the online ePlan.	reference to "site" is included within the Category of Assessment Table for Medium Density Residential zoning.
12	It is proposed to amend the planning scheme to limit Crematoriums where in a particular zone and not within 50m of a sensitive land use. This qualifying statement should be amended to confirm the 50m is measured from the property boundary of the subject land to the property boundary of a sensitive land use.	Council has reviewed your representations and have updated the Category of Assessment Tables and corresponding zone code acceptable outcomes to specify this measurement is from the parcel boundaries of the subject premise to the boundaries of the sensitive land use.
12	<p>The amendment seeks to limit Educational Establishment uses to vocational trade training only. This is to reflect the intended nature of the Industry zones and Mixed Use Zone. For consistency and to reinforce this intent, it is recommended:</p> <ul style="list-style-type: none"> <li>• the Medium Impact Industry Category of Assessment Table and Zone Code is amended in accordance with the proposed changes;</li> <li>• the Low Impact Industry Category of Assessment Table is amended to state "vocational trade training only". This would reflect the proposed reference under the category of assessment for the Mixed Use Industry Zone; and</li> <li>• an administrative definition of "Vocational Trade Training" is included within the planning scheme for ease of reference.</li> </ul>	<p>It is the intent to limit educational establishments to vocational trade training only where within industry and mixed use zones. Accordingly, the amendment has been updated to make reference to vocational trade training within the Medium impact industry zone and Category of Assessment. For consistency, the reference to vocational trade training "only" has been reiterated in the Low impact industry Category of Assessment table.</p> <p>An administrative definition is not considered warranted. In accordance with section 1.3.1(1)(e), where a term is not defined under the local government's planning scheme, Planning Act 2016 or Planning Regulation 2017, it is assigned its ordinary meaning. It is not considered the reference to 'vocational trade training' is ambiguous and is a generally understood educational operation. In addition, the provision of a definition may inadvertently restrict uses or create additional onus upon applicants to demonstrate compliance. For these reasons, the inclusion of an administrative definition has not been incorporated.</p>
12	Section 8.1 and Section 9.1 seeks to update the application statement of the Zone codes and Local Plan codes to make reference to Building Work made Accepted Development Subject to Requirements. To remove potential misinterpretation, it is recommended this provision is furthermore updated to make reference to "Code Assessable Building Work limited to the extent of non-compliance".	Following receipt of your raised matter, a review of the applicable provisions of the planning scheme pertaining to building work has been undertaken. The Category of Assessment for building work under section 5.7 assigns all development as accepted development (subject to requirements) with the identified assessment benchmarks being the relevant zone code and relevant local plan where development is not for a Dual occupancy (auxiliary unit) or Dwelling House. The local plan also does not assign a category of assessment for

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		building work. As such, there are no instances in which building work is assigned code assessable development with respect to a zone code or local plan. Given this, the existing overarching interpretation provision under Section 5.3.3(2) and Section 5.3.3(4)(b) is considered sufficient and identifies the relevant assessment benchmarks and circumstances where building work becomes code assessable with respect to a zone code and local plan code.
12	It is proposed to amend the Low-medium density residential zone code to reinforce health care services are to be "small scale". For consistency, this reference should be included within the Performance Outcome and Overall Outcome of the Medium density residential zone code (which also contains the same 200m <sup>2</sup> GFA provision for this use). It is also noted the grammar in referencing small scale varies throughout the codes, being either "small scale" or "small-scale". It is suggested this typographical inconsistency is also addressed.	Council has reviewed your submission and acknowledges the reference to "small scale" should be consistent between the Low density residential zone and Medium density residential zone, with both identifying a 200m <sup>2</sup> gross floor area for this use under the relevant codes. The amendment has therefore been updated in response to your submission to incorporate reference of "small-scale" within the Medium density residential zone code. With respect to consistent referencing, the Low-medium density residential zone code and the Medium density residential zone code have been amended to reference "small-scale".
12	It is proposed to amend the wording of AO2 of the Mixed use zone Code with respect to clarifying the function of an office as "ancillary". For consistency, it is recommended the corresponding PO2 is amended to remove reference to "incidental" and is replaced with "ancillary".	Council has reviewed your submission and acknowledges the performance outcome should reference "ancillary" which is standard planning terminology for such assessments. PO2 of the Mixed use zone code has therefore been amended to reflect this.
12	The amendments to the Mixed use zone seek to introduce the provision of the Berrinba amenity buffer under Figure 6.2.10.3.3. With respect to this provision, it is requested rewording is undertaken to PO14/AO14. In its current state, the PO/AO reference an amenity wall and amenity buffer. Clarification should be provided to identify the difference in these terminologies or potentially a revised reference is made to "acoustic wall" and "landscape buffer".	Council has reviewed your submission and agrees additional clarification should be provided with respect to the referenced amenity buffer. The buffer is achieved via two elements being a) landscaping and b) a wall of coloured treatments. Both elements combined are to assist in the visual screening of industrial development. To provide clarification to the operations and details required for this visual amenity buffer, the acceptable outcome has been updated to specify the details of the wall and the landscaping. The proposed buffer is to provide for visual amenity as per the corresponding performance outcome with no reference to acoustic mitigation required since this is addressed through the Management of emissions and hazardous activities code.
12	The amendment seeks to update the application statement for the majority of zone codes to identify the zone code as applicable to Impact Assessable Reconfiguring of a Lot development. To ensure streetscape outcomes are delivered for Reconfiguring of Lot applications, it is	Council acknowledges your representations and agrees local plans contain road improvement outcomes. Given local plans largely contain land use and built form outcomes, it is proposed to incorporate a new PO/AO



Submission	Matter	Council's response
	recommended the local plan codes' application statements are updated where relevant (i.e. restricted to local plans which include streetscape design provisions). Alternatively, a new AO/PO within the Reconfiguring of a Lot Code should be incorporated to make reference to local plan figures/provisions as relevant. This will ensure future Impact Assessable ROL applications consider the streetscape outcomes identified within local plans.	within the Reconfiguring a lot code to explicitly reference road improvements identified under a local plan. This will reduce onus upon the applicant in terms of assessing the entire local plan whilst ensuring the relevant provisions applicable to the subdivision are accounted for.
12	It is proposed to amend the Dual occupancy and Dwelling house code with respect to a subordinate dwellings' proximity to the primary dwelling house. The provision of this overall outcome for this code is supported. It is suggested further consideration to the refinement of the wording is undertaken to provide additional guidance to the subordinate dwelling "not appear(ing) visually independent". For example, the wording could be amended for the subordinate dwelling being " <i>within close proximity of the primary dwelling and is sited to ensure that it is subordinate to the primary dwelling.</i> "	It is proposed that the overall outcome in the Dual occupancy and Dwelling house code pertaining to proximity between primary dwellings and subordinate dwellings be revised to ensure that a subordinate dwelling "appears visually related to the primary dwelling." This refinement will ensure that, where dwellings exceed a separation distance of 20m, a merit-based assessment can be undertaken to ensure the visual integration between the dwellings while considering lot size and character of the subject area.
12	It is proposed to amend the application statement of the Filling and excavation Code to make reference to assessable development for Reconfiguring of a Lot. While the Filling and excavation code is identified as an assessment benchmark for Material Change of Use applications, it is recommended the application statement of this code is updated to make reference to Material Change of Use applications for consistency.	Council has reviewed your representations and acknowledges the proposed Filling and excavation code applicability statement omits reference to Material Change of Use applications. Given this code is triggered by a number of Material Change of Use applications, the application statement of this code has been incorporated as part of the amendment.
12	The amendment seeks to introduce the provision of an onsite manager for Rooming Accommodation. The proposed corresponding performance outcome (3) appears to not directly support the acceptable outcome with respect to appropriate management of the operations. It is recommended the performance outcome is amended to reference the provision of "on-site management", allowing applicants to demonstrate that such management will be suitably provided without necessarily requiring an on-site manager.	The provision of an on-site manager seeks to provide for the appropriate management of the use to maintain amenity of the relevant zone and precinct. The corresponding Performance Outcome 3 has therefore been amended to make reference to "on-site management" as recommended.
12	It is proposed to enable the provision of residential operations on the ground floor within the Loganholme Local Plan where not compromising the activation of the street. As part of this amendment, an error has occurred within PO12 and PO19 which inadvertently removes the reference to "Retirement Facility" as a supported use. The wording should be revised to maintain reference to Retirement facility as an encouraged use as per its retention within the overall outcomes and its identification as Code Assessable within the Local Plan Category of Assessment Table. In addition, PO12(a) wording should be reconsidered to state the use is located "behind" an active frontage of a non-residential use, rather than "with" a non-residential use.	The proposed amendment has been revised to reinstate 'Retirement facility' as a supported land use within the Bismark Street neighbourhood centre precinct and Bryants Road local centre precinct of the Loganholme local plan area. It is acknowledged that this refinement will ensure the relevant performance outcomes are consistent with the overall outcomes of the local plan code and the tables of assessment. Furthermore, it is confirmed that the relevant provisions require that accommodation activities be located <i>behind</i> an active frontage with a non-residential use.

Submission	Matter	Council's response
12	The proposed amendment seeks to reflect the new alignment of Jedfire Road within the Park Ridge Local Plan. As part of this amendment, the boundary of the precinct to the north-east of Jedfire Street has been slightly extended to the east. It remains unclear whether this portion of the new precinct alignment is intentional. Further investigation should be undertaken and where required, changes to the boundary precinct at this location undertaken.	Following investigation of this raised matter, no change to the precinct boundary is proposed as part of the amendment to the planning scheme. The referenced boundary alignment forms part of the current planning scheme (version 7.0) and was amended to accurately reflect the local plan boundaries.
12	It is proposed to amend AO2 of the Infrastructure Code to make reference to the general planning layouts of PSP 5. It is recommended the wording of AO2(k) is revised from "conforms to" to "consistent with". This will reflect similar terminology throughout the planning scheme.	Council agrees the terminology of "consistent with" is reflective of existing industry terminology. Accordingly, the wording of 2(k) is proposed to be amended to "is consistent with".
<b>Typographical</b>		
12	The qualifying criteria within a number of zone's Table of Assessment appear to contain a typographical error in which it references 15 percent "of more". All zonings should accordingly be updated where relevant to amend this typographical error to consistently state "with a slope of 15 percent <u>or</u> more". (emphasis added)	In response to your submission, Council has rectified the typographical inconsistencies with the referenced wording updated to "or more" under the Category of Assessment for the following zones: <ul style="list-style-type: none"> <li>• Medium density residential;</li> <li>• Emerging community;</li> <li>• Low-medium density residential; and</li> <li>• Rural residential.</li> </ul>
12	The amendment pertains to incorporating references to the "industry precinct" and associated encouraged uses in respect to the Mixed Use Zone Table of Assessment. A typographical error has occurred for Adult Store use which states "precint" instead of "precinct". This error should be amended as required.	Council agrees a typographical error has occurred in this location with the correct reference of "precinct" to be incorporated in the amendment.
12	The proposal seeks to amend elements pertaining to retaining walls under Part 3 of PSP 5. In particular, a typographical error occurs with respect to aspect 5.b. in which "boundary" singular is referenced. This should be amended to reference "boundaries".	Council agrees a typographical error has occurred in this location with the correct plural reference of "boundaries" to be incorporated in the amendment.
12	The amendment seeks to relocate the pedestrian network through Anzac Park under Figure 7.2.5.4.2. As part of this Figure amendment, it is noted the extent of active frontages along Logan Street and Wharf Street appears to have been inadvertently reduced. This only occurs when accessing the relevant PDF and does not appear on the image extracted within the Explanatory Report. As such, the extent of the Active Frontage Street along Logan Street and Wharf Street to the east of the Village Green should be maintained in accordance with the existing figure.	Council has reviewed the relevant figure and agrees the extent of active frontages has been inadvertently reduced. The active frontages proposed will be consistent with the figure illustrated in the Explanatory Report (i.e. increased to the east long Wharf Street and Logan Street).