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| *Brisbane City Plan 2014* |
| Amendment - Minor and administrative amendment package L |

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| **1 Guide to this document**   1. In this document, proposed amendments to Brisbane City Plan 2014 are detailed as follows:    1. in the Schedule of text amendments:    2. text identified in strikethrough and red highlight (e.g. ~~example~~) represents text to be omitted    3. text identified in underlining and green highlight (e.g. example) represents text to be inserted    4. in the Schedule of mapping amendments, insertions or omissions are as detailed in the tables. 2. Text that is preceded by the heading ‘Reason for change’ does not form part of the proposed amendment and is included as explanatory information about the reason for the proposed amendment only. |
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#### Part 2 State planning provisions

#### 2.4 Regulated requirements

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| **Reason for change:** To reflect an amendment to the regulated requirements under the Planning Act and used in the planning scheme. |

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| The regulated requirements prescribed in the Planning Regulation 2017 dated 23 September 2022 are appropriately reflected in full in the planning scheme. |

#### Part 4 Local government infrastructure plan \ 4.2 Planning assumptions

#### Table 4.2.1—Relationship between LGIP development categories, LGIP development types and uses

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| **Reason for change:** To reflect an amendment to the regulated requirements under the *Planning Act 2016* and used in the planning scheme. |

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| |  |  |  | | --- | --- | --- | |  |  |  | | Other residential development | Non-private dwelling | Caretaker’s accommodation, Community residence, Relocatable home park, Residential care facility, Rural workers' accommodation, Workforce accommodation  Note—Other residential development refers to development that accommodates permanent residents in non-private dwellings. | |

#### Part 5 Tables of assessment \ 5.5 Categories of development and assessment – Material change of use \ Tourist accommodation zone TOA

#### Table 5.5.6—Tourist accommodation zone

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| **Reason for change:** To reflect an amendment to the regulated requirements under the *Planning Act 2016* and used in the planning scheme. |

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| |  |  |  | | --- | --- | --- | |  |  |  | | Workforce accommodation | **Assessable development—Code assessment** | | | If within an existing premises | Tourist accommodation zone code  Note—Refer to the Moreton Island settlements Neighbourhood Plan Code. | |

#### Part 6 Zones \ 6.2 Zone codes \ 6.2.1.6 Tourist accommodation zone code

#### 6.2.1.6 Tourist accommodation zone code

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| **Reason for change:** To reflect an amendment to the regulated requirements under the *Planning Act 2016* and used in the planning scheme. |

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| 1. The purpose of the zone will be achieved through the following overall outcomes:    1. Development in the zone supports the implementation of the policy direction set in the Strategic framework, in particular:       1. Theme 2: Brisbane’s outstanding lifestyle and Element 2.2 – Brisbane’s housing and accommodation choices;       2. Theme 5: Brisbane’s CityShape and Element 5.6 – Brisbane’s Greenspace System.    2. Development provides for the continuation of Tangalooma Resort as a tourist resort on Moreton Island, used by daytrippers and overnight visitors, with a wide range of services and infrastructure, as well as a variety of accommodation types for guests and staff.    3. Development for nature-based tourism, resort complex, short-term accommodation, food and drink outlet and workforce accommodation is provided at a scale, density and location to meet the needs of tourists.    4. Development is highly reflective of and responsive to environmental values and is sensitively located and designed to minimise any adverse impacts on surrounding natural features that form the basis of the tourist attraction such as creeks, gullies, waterways, wetlands, habitats, native vegetation and coastal foreshores.    5. Development maintains a high level of accommodation amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts.    6. Development is supported by infrastructure to meet the needs of tourists and staff. |

#### Part 7 Neighbourhood plans \ 7.2 Neighbourhood plan codes \ West End—Woolloongabba district

#### Table 7.2.23.2.3.A—Performance outcomes and acceptable outcomes

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| **Reason for change:** To reflect an amendment to the regulated requirements under the *Planning Act 2016* and used in the planning scheme |

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| |  |  | | --- | --- | |  |  | | **PO4**  Development presents as small lots with narrow street frontages. | **AO4.1**  Development does not straddle existing lot boundaries. | | **AO4.2**  Development results in one dwelling house on each lot. | |

#### Part 9 Development codes \ 9.3 Use codes \ 9.3.7 Dwelling house code

#### 9.3.7.2 Purpose

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| **Reason for change:** To reflect an amendment to the regulated requirements under the *Planning Act 2016* and used in the planning scheme. |

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| 1. The purpose of the code will be achieved through the following overall outcomes:    1. Development ensures that one dwelling house or one dwelling house and one secondary dwelling is provided on a lot, each occupied by no more than one household.    2. Development for a dwelling house, including a secondary dwelling or domestic outbuilding, incorporates design and siting to allow reasonable access to daylight and sunlight for neighbouring dwellings and private open space.    3. Development of a dwelling house provides sufficient and safe vehicle access and parking for residents.    4. Development ensures that a dwelling house, including a secondary dwelling or domestic outbuilding, does not cause adverse drainage impacts or flooding of upstream, downstream or adjoining land.    5. Development ensures that the siting of a dwelling house and any built to boundary walls do not negatively impact on the privacy and amenity of adjoining residents.    6. Development for a dwelling house, including a secondary dwelling or domestic outbuilding, is of a height that is appropriate to the strategic and local context and meets community expectations. Development has a building height that is predominantly:       1. 1 or 2 storeys in the Low density residential zone, Character residential zone, 2 storey mix zone precinct of the Low-medium density residential zone, 2 or 3 storey mix zone precinct of the Low-medium density residential zone, Rural residential zone, Environmental management zone, Rural zone or the Emerging community zone.       2. 3 storeys in the Up to 3 storey zone precinct of the Low-medium density residential zone or the Medium density residential zone. |

#### Table 9.3.7.3.A—Performance outcomes and acceptable outcomes

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| **Reason for change:** To reflect an amendment to the regulated requirements under the *Planning Act 2016* and used in the planning scheme. |

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| |  |  | | --- | --- | | **PO1**  Development ensures that a building other than a dwelling house on the site:   1. is used for a domestic residential purpose, in conjunction with and subordinate to the dwelling house on the same site; 2. is smaller in size and scale than the dwelling house; 3. has the appearance of a building ancillary to the dwelling house; 4. is occupied by no more than 1 household. | **AO1.1**  Development comprises not more than one dwelling house and one secondary dwelling, each occupied by one household. | | **AO1.2**  Any development for a secondary dwelling is:   1. a maximum of 80m2 in gross floor area; 2. located within 20m of the dwelling house 3. . | |

#### Part 9 Development codes \ 9.3 Use codes \ 9.3.8 Dwelling house (small lot) code

#### 9.3.8.2 Purpose

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| **Reason for change:** To reflect an amendment to the regulated requirements under *the Planning Act 2016* and used in the planning scheme. |

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| 1. The purpose of the code will be achieved through the following overall outcomes:    1. Development ensures that one dwelling house or one dwelling house and one secondary dwelling is provided on a lot, each occupied by no more than one household.    2. Development for a dwelling house, including a secondary dwelling or domestic outbuilding, incorporates design and siting to allow reasonable access to daylight and sunlight for neighbouring dwellings and private open space.    3. Development for a dwelling house incorporates design and siting to provide a pleasant living environment for occupants, including sufficient useable private open space for recreation, visual outlook and service functions of the occupants.    4. Development for a dwelling house incorporates design and siting to provide an appropriate level of privacy for occupants of adjoining dwelling houses.    5. Development of a dwelling house provides sufficient and safe vehicle access and parking for residents.    6. Development ensures that a dwelling house, including a secondary dwelling or domestic outbuilding, does not cause adverse drainage impacts or flooding of upstream, downstream or adjoining land.    7. Development ensures that the siting of a dwelling house and any built to boundary walls does not negatively impact on the privacy and amenity of adjoining residents.    8. Development for a dwelling house, including a secondary dwelling or domestic outbuilding, is of a height that is appropriate to the strategic and local context and meets community expectations. Development has a building height that is predominantly:       1. 1 or 2 storeys in the Low density residential zone, Character residential zone, 2 storey mix zone precinct of the Low-medium density residential zone, 2 or 3 storey mix zone precinct of the Low-medium density residential zone, Rural residential zone, Environmental management zone, Rural zone or the Emerging community zone;       2. 3 storeys in the Up to 3 storey zone precinct of the Low-medium density residential zone or the Medium density residential zone. |

#### Table 9.3.8.3.A—Performance outcomes and acceptable outcomes

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| **Reason for change:** To reflect an amendment to the regulated requirements under the *Planning Act 2016* and used in the planning scheme. |

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| |  |  | | --- | --- | | **PO1**  Development ensures that a building other than a dwelling house on a site:   1. is used for a domestic residential purpose, in conjunction with and subordinate to the dwelling house on the same site; 2. is smaller in size and scale than the dwelling house; 3. has the appearance of a building ancillary to the dwelling house; 4. is occupied by no more than 1 household. | **AO1.1**  Development comprises not more than one dwelling house and one secondary dwelling, each occupied by one household. | | **AO1.2**  Development for a secondary dwelling is:   1. a maximum of 80m2 in gross floor area; 2. located within 20m of the dwelling house 3. . | |

#### Schedule 1 Definitions \ SC1.1 Use definitions

#### Table SC1.1.1.A—Index of use definitions

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| **Reason for change:** To reflect an amendment to the regulated requirements under the *Planning Act 2016* and used in the planning scheme. |

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| |  |  |  | | --- | --- | --- | |  |  |  | | Adult store  Agricultural supplies store  Air service  Animal husbandry  Animal keeping  Aquaculture  Bar  Brothel  Bulk landscape supplies  Car wash  Caretaker’s accommodation  Cemetery  Childcare centre  Club  Community care centre  Community residence  Community use  Crematorium  Cropping  Detention facility  Dual occupancy  Dwelling house  Dwelling unit  Educational establishment  Emergency services  Environment facility  Extractive industry  Food and drink outlet  Function facility  Funeral parlour  Garden centre  Hardware and trade supplies | Health care service  High impact industry  Home-based business  Hospital  Hotel  Indoor sport and recreation  Intensive animal industry  Intensive horticulture  Landing  Low impact industry  Major electricity infrastructure  Major sport, recreation and entertainment facility  Marine industry  Market  Medium impact industry  Motor sport facility  Multiple dwelling  Nature-based tourism  Nightclub entertainment facility  Office  Outdoor sales  Outdoor sport and recreation  Outstation  Park  Parking station  Party house  Permanent plantation  Place of worship  Port service | Relocatable home park  Renewable energy facility  Research and technology industry  Residential care facility  Resort complex  Retirement facility  Roadside stall  Rooming accommodation  Rural industry  Rural workers’ accommodation  Sales office  Service industry  Service station  Shop  Shopping centre  Short-term accommodation  Showroom  Special industry  Substation  Telecommunications facility  Theatre  Tourist attraction  Tourist park  Transport depot  Utility installation  Veterinary service  Warehouse  Wholesale nursery  Winery  Workforce accommodation | |

#### Table SC1.1.1.B—Use definitions

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| **Reason for change:** To reflect an amendment to the regulated requirements under the *Planning Act 2016* and used in the planning scheme. |

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| |  |  |  |  | | --- | --- | --- | --- | | Dual occupancy  Editor's note—The use term is defined in the *Planning Regulation 2017* - Regulated Requirements | Dual occupancy—   1. means a residential use of premises involving—    1. 2 dwellings (whether attached or detached) on a single lot or 2 dwellings (whether attached or detached) on separate lots that share a common property; and    2. any domestic outbuilding associated with the dwellings; but 2. does not include a residential use of premises that involves a secondary dwelling. | Duplex, two dwellings on a single lot (whether or not attached), two dwellings within one single community title scheme under the *Body Corporate and Community Management Act 1997*, two dwellings within the one body corporate to which the *Building Units and Group Title Act 1980* continues to apply | Dwelling house, multiple dwelling | |

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| |  |  |  |  | | --- | --- | --- | --- | | Dwelling house  Editor's note—The use term is defined in the *Planning Regulation 2017* - Regulated Requirements | Dwelling house means a residential use of premises involving—   1. 1 dwelling and any domestic outbuildings associated with the dwelling; or 2. 2 dwellings, 1 of which is a secondary dwelling, and any domestic outbuildings associated with either dwelling. |  | Caretaker’s accommodation, dual occupancy, rooming accommodation, short-term accommodation, student accommodation, multiple dwelling | |

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| |  |  |  |  | | --- | --- | --- | --- | | Food and drink outlet  Editor's note—The use term is defined in the *Planning Regulation 2017* - Regulated Requirements | Food and drink outlet means the use of premises for—   1. preparing and selling food and drink for consumption on or off the premises; or 2. providing liquor for consumption on or off the premises, if the use is ancillary to the use in paragraph (a).   Examples of a food and drink outlet—cafe, coffee shop, drive-through facility, kiosk, milk bar, restaurant, snack bar, takeaway shop, tearoom | Bistro, cafe, coffee shop, drive-through facility, kiosk, milk bar, restaurant, snack bar, takeaway, tearoom | Bar, club, entertainment facility, hotel, shop, theatre, nightclub | |

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| |  |  |  |  | | --- | --- | --- | --- | | Multiple dwelling  Editor's note—The use term is defined in the *Planning Regulation 2017* - Regulated Requirements | Multiple dwelling means a residential use of premises involving 3 or more dwellings, whether attached or detached. | Apartments, flats, units, townhouses, row housing, triplex | Rooming accommodation, dual occupancy, duplex, granny flat, residential care facility, retirement facility | |

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| |  |  |  |  | | --- | --- | --- | --- | | Tourist park  Editor's note—The use term is defined in the *Planning Regulation 2017* - Regulated Requirements | Tourist park means the use of premises for—   1. holiday accommodation in caravans, self-contained cabins, tents or other similar structures; or 2. amenity facilities, a food and drink outlet, a manager’s residence, offices, recreation facilities for the use of occupants and their visitors, or staff accommodation, if the use is ancillary to the use in paragraph (a). | Camping ground, caravan park, holiday cabins | Relocatable home park, tourist attraction, short-term accommodation, workforce accommodation | |

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| |  |  |  |  | | --- | --- | --- | --- | | Workforce accommodation  Editor's note—The use term is defined in the *Planning Regulation 2017* - Regulated Requirements | Workforce accommodation—   1. means the use of premises for—    * 1. accommodation that is provided for persons who perform work as part of—         1. a resource extraction project; or         2. a project identified in a planning scheme as a major industry or infrastructure project; or         3. a rural use; or      2. recreation and entertainment facilities for persons residing at the premises and their visitors, if the use is ancillary to the use in subparagraph (i); but    1. does not include rural workers' accommodation. | Contractor’s camp, construction camp, single person’s quarters, temporary workers' accommodation | Relocatable home park, short-term accommodation, tourist park | |

#### Table SC1.1.2.B—Defined activity groups

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| **Reason for change:** To reflect an amendment to the regulated requirements under the *Planning Act 2016* and used in the planning scheme. |

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| |  |  | | --- | --- | | Accommodation activities | * caretaker’s accommodation * community residence * dual occupancy * dwelling house * multiple dwelling * relocatable home park * residential care facility * retirement facility * rooming accommodation * short-term accommodation * tourist park * workforce accommodation | |

#### Schedule 1 Definitions \ SC1.2 Administrative terms

**Table SC1.2.2.B—Administrative terms and definitions**

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| **Reason for change:** To reflect an amendment to the regulated requirements under the *Planning Act 2016* and used in the planning scheme. |

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| |  |  | | --- | --- | |  |  | | Household | Household means 1 or more individuals who   1. live together in a dwelling 2. . | |

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| |  |  | | --- | --- | |  |  | | Secondary dwelling | Secondary dwelling means a dwelling on a lot that is used in conjunction with, but subordinate to, another dwelling on the lot, whether or not the dwelling is—   1. attached to the other dwelling; or 2. occupied by individuals who are related to, or associated with, the household of the other dwelling. | |

#### Schedule 2 Mapping \ SC2.2 Zone maps

#### Table SC2.2.1— Zone maps

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| **Reason for change:** Reflects details of this package of minor and administrative amendments to the planning scheme. |

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#### Schedule 2 Mapping \ SC2.4 Overlay maps

#### Table SC2.4.1—Overlay maps

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| **Reason for change:** Reflects details of this package of minor and administrative amendments to the planning scheme. |

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| |  |  |  |  | | --- | --- | --- | --- | |  |  |  |  | | D | OM-004.1 | Dwelling house character overlay map (all tiles, other than where specified below) | 30 June 2014 | | OM-004.1 | Dwelling house character overlay map  Map tiles 34 and 43 | 12 September 2014 | | OM-004.1 | Dwelling house character overlay map  Map tiles 5, 13, 19, 42, 44, 46 and 48 | 4 September 2015 | | OM-004.1 | Dwelling house character overlay map  Map tiles 20 and 21 | 13 May 2016 | | OM-004.1 | Dwelling house character overlay map  Map tile 28 | 9 September 2016 | | OM-004.1 | Dwelling house character overlay map  Map tiles 12,13, 18, 19, 20, 22, 30, 35, 36, 37,42, 44 and 47 | 24 March 2017 | | OM-004.1 | Dwelling house character overlay map  Map tiles 30 and 43 | 1 December 2017 | | OM-004.1 | Dwelling house character overlay map  Map tile 28 | 16 February 2018 | | OM-004.1 | Dwelling house character overlay map  Map tiles 5, 6, 20, 28, 29, 30, 34, 35, 36, 42, 43, 44 and 47 | 14 September 2018 | | OM-004.1 | Dwelling house character overlay map  Map tiles 5, 6, 12, 13, 19, 20, 22, 28, 30, 34, 42, 47, 48 | 23 November 2018 | | OM-004.1 | Dwelling house character overlay map  Map tiles 5, 6, 11, 19, 27, 28, 34, 35, 43, 44 and 47 | 15 February 2019 | | OM-004.1 | Dwelling house character overlay map  Map tile 19 | 31 May 2019 | | OM-004.1 | Dwelling house character overlay map  Map tiles 5, 6, 11, 12, 19, 21, 27, 28, 29, 30, 34, 35, 36, 42, 43, 44, 47 and 48 | 26 July 2019 | | OM-004.1 | Dwelling house character overlay map  Map tiles 5, 6, 12, 19, 20, 21, 22, 29, 30, 34, 42, 43, 44, 45, 46, 47 and 48 | 29 November 2019 | | OM-004.1 | Dwelling house character overlay map  Map tiles 13 and 28 | 28 February 2020 | | OM-004.1 | Dwelling house character overlay map  Map tiles 2, 13, 20, 21, 22, 27, 29, 34, 35, 43 and 47 | 30 October 2020 | | OM-004.1 | Dwelling house character overlay map  Map tile 28 | 28 May 2021 | | OM-004.1 | Dwelling house character overlay map  Map tiles 19, 21, 30, 35, 36, 37, 42 and 47 | 27 May 2022 | | OM-004.1 | Dwelling house character overlay map  Map tile 43 | 10 March 2023 | |

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| |  |  |  |  | | --- | --- | --- | --- | |  |  |  |  | | H | OM-008.1 | Heritage overlay map (all tiles, other than where specified below) | 9 September 2016 | | OM-008.1 | Heritage overlay map  Map tiles 18 and 28 | 24 March 2017 | | OM-008.1 | Heritage overlay map  Map tile 35 | 3 July 2017 | | OM-008.1 | Heritage overlay map  Map tiles 5, 6, 12, 13, 20, 21, 22, 26, 27, 28, 29, 30, 34, 35, 36 and 42 | 1 December 2017 | | OM-008.1 | Heritage overlay map  Map tile 28 | 16 February 2018 | | OM-008.1 | Heritage overlay map  Map tiles 20 and 28 | 14 September 2018 | | OM-008.1 | Heritage overlay map  Map tiles 13, 21, 28 | 23 November 2018 | | OM-008.1 | Heritage overlay map  Map tiles 12, 19, 20, 21, 22, 28, 29, 30, 35 and 36 | 26 July 2019 | | OM-008.1 | Heritage overlay map  Map tiles 2, 6, 12, 13, 15, 20, 21, 22, 27, 28, 29, 32, 34, 35, 36, 42, 43, 44, 50 and 53 | 29 November 2019 | | OM-008.1 | Heritage overlay map  Map tiles 13, 21 and 28 | 28 February 2020 | | OM-008.1 | Heritage overlay map  Map tiles 13, 20, 21, 22, 28, 29, 32, 34, 35, 44 | 30 October 2020 | | OM-008.1 | Heritage overlay map  Map tile 28 | 28 May 2021 | | OM-008.1 | Heritage overlay map  Map tiles 20, 21, 28 and 29 | 3 September 2021 | | OM-008.1 | Heritage overlay map  Map tiles 20, 21, 22, 28, 29, 32, 34, 42 and 44 | 27 May 2022 | | OM-008.1 | Heritage overlay map  Map tile 22 | 10 March 2023 | |

#### Appendix 2 Table of amendments

#### Table AP2.1—Table of amendments

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| **Reason for change:** Reflects details of this package of minor and administrative amendments to the planning scheme. |

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| |  |  |  |  | | --- | --- | --- | --- | |  |  |  |  | | 6 December 2022 (adoption) and 10 March 2023 (effective) | v25.00/2022 | Minor and administrative | Administrative amendment to planning scheme (Schedule 1, Section 1a) and b) of *MGR*). Minor amendment to planning scheme (Schedule 1, Section 2c) and e) of *MGR*). Refer to Amendment v25.00/2022 for further detail. | |

#### Schedule of mapping amendments

## ZM-001 Zoning map

## Table 1 – Change the zoning of the following properties

| **Item no.** | **Map number** | **Lot plan description** | **Address** | **Suburb** | **Details of change** | | **Reason** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **From** | **To** |
|  | ZM-001 (Map tile 43) | Lot 222 on SP215236 | 47 Finetti Circuit | Durack | Unzoned | Low density residential zone | Constitutes an administrative amendment to the planning scheme pursuant to Schedule 1, section 1a)iii) of MGR as it corrects a mapping inconsistency. |
|  | ZM-001 (Map tile 43) | Lot 226 on SP215237 | 11 Emerson Close | Durack | Unzoned | Low density residential zone | Constitutes an administrative amendment to the planning scheme pursuant to Schedule 1, section 1a)iii) of MGR as it corrects a mapping inconsistency. |
|  | ZM-001 (Map tile 25) | Lot 10 on SP211451 (part) | 121 Shelly Road | Kholo | Conservation zone (Local zone precinct) | Rural zone | Constitutes an administrative amendment to the planning scheme pursuant to Schedule 1, section 1a)iv) of MGR as it changes or corrects a factual matter incorrectly stated in the instrument. |

## Overlay maps

### OM-004.1 Dwelling house character overlay map

**Table 6 – Add the Dwelling house character overlay to the following properties**

| **Item no.** | **Map number** | **Lot and plan description** | **Address** | **Suburb** | **Reason** |
| --- | --- | --- | --- | --- | --- |
|  | OM-004.1  (Map tile 43) | Lot 222 on SP215236 | 47 Finetti Circuit | Durack | Constitutes an administrative amendment to the planning scheme pursuant to Schedule 1, section 1a)iii) of MGR as it corrects a mapping inconsistency. |
|  | OM-004.1  (Map tile 43) | Lot 226 on SP215237 | 11 Emerson Close | Durack | Constitutes an administrative amendment to the planning scheme pursuant to Schedule 1, section 1a)iii) of MGR as it corrects a mapping inconsistency. |

**OM-008.1 Heritage overlay map**

**Table 12 – Remove the Local heritage place sub-category from the following properties**

| **Item no.** | **Map number** | **Lot and plan description** | **Address** | **Suburb** | **Reason** |
| --- | --- | --- | --- | --- | --- |
|  | OM-008.1  (Map tile 22) | Lot 197 and 198 on RP32988 | 164 and 166 Bay Terrace | Wynnum | Constitutes a minor amendment to the planning scheme pursuant to Schedule 1, section 2e) of MGR as it reflects a current development approval (A005758022). |

**Table 13 – Remove the Area adjoining heritage sub-category from the following properties**

| **Item no.** | **Map number** | **Lot and plan description** | **Address** | **Suburb** | **Reason** |
| --- | --- | --- | --- | --- | --- |
|  | OM-008.1  (Map tile 22) | Lot 199 on RP32988 | 168 Bay Terrace | Wynnum | Constitutes a minor amendment to the planning scheme pursuant to Schedule 1, section 2e) of MGR as it reflects a current development approval (A005758022). |
|  | OM-008.1  (Map tile 22) | Lot 197 on RP147389 | 78 Akonna Street | Wynnum | Constitutes a minor amendment to the planning scheme pursuant to Schedule 1, section 2e) of MGR as it reflects a current development approval (A005758022). |