



Redland
CITY COUNCIL

AGENDA

LATE REPORTS GENERAL MEETING

**Wednesday, 19 May 2021
commencing at 9.30am**

**The Council Chambers
91 - 93 Bloomfield Street
CLEVELAND QLD**

Order Of Business

14 Reports from Community & Customer Services 2

 14.3 Update on City Plan Major Amendment (01/21): Environmental Significance
 Overlay 2

14 REPORTS FROM COMMUNITY & CUSTOMER SERVICES

14.3 UPDATE ON CITY PLAN MAJOR AMENDMENT (01/21): ENVIRONMENTAL SIGNIFICANCE OVERLAY

Objective Reference: A5408320

Authorising Officer: David Jeanes, Acting General Manager, Community & Customer Services

Responsible Officer: Jonathan Herron, Acting Group Manager, City Planning and Assessment

Report Author: Michael Beekhuyzen, Principal Strategic Planner

Attachments: Nil

PURPOSE

To provide Council with a status update on the preparation of a major amendment to the City Plan to provide an enhanced level of statutory land use planning protection to core habitat and wildlife corridors in the Urban Footprint as identified in the Wildlife Connections Plan 2018-2028 (WCP).

BACKGROUND

At the General Meeting on 4 November 2020, Council resolved to adopt the following amended notice of motion:

1. To undertake an urgent review regarding options to provide an enhanced level of statutory land use planning protection to environmental corridors within the Urban Footprint as identified in the Wildlife Connections Plan (WCP)2018-2028 **(completed)**.
2. To request officers undertake the following:
 - a) Prepare a report to Council outlining the findings of the review, as well as recommended changes to City Plan by the end of February 2021 **(completed)**.
 - b) Prepare a major amendment pursuant to Part 4 of the Minister's Guideline's and Rules under the *Planning Act 2016*, if required, incorporating the proposed changes to City Plan as supported by Council by the end of May 2021 **(completed)**.
 - c) Consult with each divisional councillor regarding changes to City Plan that may be recommended **(completed)**.

Council subsequently resolved at the General Meeting on 17 March 2021 as follows:

1. To commence a major amendment to the City Plan that reflects the findings and recommendations of the review of options to provide an enhanced level of statutory land use planning protection to environmental corridors in the Urban Footprint, as identified in the Wildlife Connections Plan 2018-2028, in accordance with Part 4, Clause 16.1 of the Minister's Guideline and Rules under the Planning Act 2016.
2. To endorse the recommendations, as outlined in Attachment 1, to inform the major amendment to the City Plan.
3. To ensure the major amendment is supported by a detailed mapping review and refinement of mapped MSES and MLES in consultation with relevant divisional councillors.

4. That the report and attachments remain confidential until such time that a major amendment package is released for public consultation, subject to Council and Ministerial approval or Council resolves not to proceed with the proposed major amendment package to maintain the confidentiality of legally privileged, private and commercial in-confidence information.

ISSUES

Local Government Regulation (2012)

Changes made to the Local Government Regulation (s.254(J)) in 2020 have limited the ability of Council to ensure the confidentiality of major amendments while undergoing state interest review prior to being approved for public consultation. This is a significant shift in the Local Government Regulation that has implications on the proposed major amendment to the City Plan to provide an enhanced level of statutory land use planning protection to environmental corridors in the Urban Footprint, as identified in the Wildlife Connections Plan 2018-2028

Further work to support the major amendment is required prior to its public release. This work would typically be undertaken concurrently whilst the amendment was going through the state interest review process and prior to Council approval to progress the major amendment to public consultation. The changes to the *Local Government Regulation* have necessitated bringing forward this work prior to Council adopting the major amendment for state interest review and releasing the major amendment public.

This further work includes preparation of a communication plan to clearly explain to the community the role of the WCP and the effect of the proposed major amendment.

Further work is also required to consider non-statutory measures that Council could potentially put in place to assist and support landowners to protect native vegetation where their property is included in the core habitat area or a corridor within the Wildlife Connections Plan and identified for an enhanced level of statutory land use protection by the proposed major amendment.

STRATEGIC IMPLICATIONS

Legislative Requirements

There are no legislative requirements in undertaking further work to support a major amendment to City Plan to provide an enhanced level of statutory land use planning protection to environmental corridors within the Urban Footprint as identified in the Wildlife Connections Plan 2018-2028.

Risk Management

The further work to support the major amendment will ensure it is supported by a communications plan that clearly explains the purpose and effect of the major amendment on affected landowners.

Financial

The further work on the major amendment to City Plan will be funded as part of the operating budget of the City Planning and Assessment Group.

People

The staff and resourcing to undertake the further work will be primarily drawn from the Strategic Planning Unit of the City Planning and Assessment Group.

Environmental

Providing an enhanced level of statutory land use planning protection to the City's most important urban habitat areas will assist in the protection of the City's biodiversity and contribute to the implementation of the broader Wildlife Connections Plan.

Social

Providing an enhanced level of statutory land use planning protection to the City's most important urban habitat also provides a social benefit. Habitat protection can provide significant social benefits such as improved open space, more shade, increased connection with nature and greater recreational value and usage of parks and reserves.

Human Rights

Providing for an enhanced level of statutory land use protection to the City's most important urban habitat supports the human right to a healthy natural environment.

Alignment with Council's Policy and Plans

Providing for an enhanced level of statutory land use protection to the City's most important urban habitats supports:

- Implementation of the Wildlife Connections Plan 2018-2028
- Natural Environment Policy
- Natural Environment goal of Our Future Redlands: A Corporate Plan to 2026 and Beyond

CONSULTATION

| Consulted | Consultation Date | Comments/Actions |
|----------------|-------------------|--|
| Legal Services | 29 April 2021 | Advice provided on s254(J) of the <i>Local Government Regulation 2012</i> (LCM9538) that the proposed major amendment cannot be made confidential. |

OPTIONS

Option One

That Council resolve as follows:

1. To note that in accordance with Council resolution 19.2 of the General Meeting 17 March 2021 a proposed major amendment to City Plan has been prepared to provide an enhanced level of statutory land use planning protection to environmental corridors in the Urban Footprint, as identified in the Wildlife Connections Plan 2018-2028.
2. To note that further work is being undertaken to support the proposed major amendment, including a communications plan and consideration of a range of non-statutory measures to support affected landowners prior to its public release.
3. That a further report be presented to Council by the end of September 2021 that outlines the further work undertaken, together with the proposed major amendment to City Plan for Council consideration.

Option Two

That Council resolves to not proceed with the proposed major amendment and further work to support the proposed major amendment.

OFFICER'S RECOMMENDATION

That Council resolve as follows:

1. To note that in accordance with Council resolution 19.2 of the General Meeting 17 March 2021 a proposed major amendment to City Plan has been prepared to provide an enhanced level of statutory land use planning protection to environmental corridors in the Urban Footprint, as identified in the Wildlife Connections Plan 2018-2028.
2. To note that further work is being undertaken to support the proposed major amendment, including a communications plan and consideration of a range of non-statutory measures to support affected landowners prior to its public release.
3. That a further report be presented to Council by the end of September 2021 that outlines the further work undertaken, together with the proposed major amendment to City Plan for Council consideration.