

**Oxley Priority Development Area  
Development Scheme**

**Submissions Report**

**August 2019**



**Queensland  
Government**

**The Department of State Development, Manufacturing, Infrastructure and Planning improves productivity and quality of life in Queensland by leading economic strategy, industry development, infrastructure and planning, for the benefit of all.**

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Economic Development Queensland

Department of State Development, Manufacturing, Infrastructure and Planning  
GPO Box 2202, Brisbane, Queensland 4002.

1 William Street Brisbane Qld 4000 (Australia)

Phone: 13 QGOV (13 7468)

Email: [edq@dsdmip.qld.gov.au](mailto:edq@dsdmip.qld.gov.au)

Web: [www.edq.qld.gov.au](http://www.edq.qld.gov.au)

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## 1. Introduction

The Oxley Priority Development Area (PDA) was declared on 10 August 2018.

The public notification and submissions period for the Oxley PDA Proposed Development Scheme was from 26 February 2019 to 5 April 2019.

Following the completion of the public notification period:

- all submissions received were reviewed by the Minister for Economic Development Queensland (MEDQ), and
- the Oxley PDA Development Scheme was changed where considered appropriate in response to submissions received.

This report has been prepared to summarise the submissions that have been considered and provides information on the merits of the submissions and the extent to which the development scheme has been amended.

## 2. Overview of public notification process

### 2.1 Community engagement

The public notification period for Oxley PDA took place between 25 February and 5 April 2019. During the public notification period the MEDQ, undertook the following community engagement initiatives:

- A dedicated Department of State Development Manufacturing Infrastructure and Planning (DSDMIP) 'Have your say' webpage for the Oxley PDA providing the opportunity for the community and other stakeholders to ask questions and receive responses in a public forum.
- A dedicated web page for the Oxley PDA on the DSDMIP website.
- A community newsletter was posted to 7,392 land owners within and around the Oxley PDA
- Advertisements in local newspapers circulating the region
  - The Courier Mail – Saturday 23 February 2019
  - Westside News – Thursday 28 February 2019
  - South West News – Thursday 28 February 2019
- Hand delivered newsletters to approximately 100 surrounding homes
- Two drop-in community information sessions were hosted at the Oxley Bowls club (24A Englefield Road, Oxley) on:
  - 14 March 2019, and
  - 23 March 2019.
- Public notice in the government gazette on Friday 22 February 2019.

## 2.2 Submission registration and review process

Submissions were received by post, email and via DSDMIP's Have your say online submission page. Once submissions were received, they were registered and reviewed.

Table 1 below provides an overview of the submission registration and review process.

**Table 1: Submission registration and review process**

Steps	Action
Registration of submissions	Submissions were registered and given a submission number.
Classification of submissions	Submissions were classified by number and section relevant to the development scheme.
Summarising submission issues	<p>Each submission was read, and the different matters raised were entered into the submissions database under headings based on the sections of the development scheme.</p> <p>Each submission often covered several topics; therefore, allowance was made for the same or similar comments being raised in several submissions. This included receipt of multiple submissions with similar views on a topic or submissions having different views on the same topic. For this reason, comments across submissions on topics were identified and these comments were summarised under common headings based on the sections of the development scheme in the submissions report.</p>
Evaluation and responses to issues	<p>Once all comments were summarised, they were assessed and responses were prepared.</p> <p>Potential changes to the development scheme were identified.</p> <p>In evaluating submissions, allowance was made for the same or similar comments being raised in different submissions. For this reason, assessment of comments and resulting development scheme changes were made in based on the sections of the development scheme rather than on submission by submission basis.</p>
Submissions report	<p>The submissions report was prepared which collates steps 3 and 4 above, providing a summary of the submissions considered, information about the merits of the submissions, recommendations for changes to the development scheme to reflect submissions.</p> <p>Comments raised through submissions have been summarised to simplify the presentation and review comments.</p>
MEDQ approval	The final submissions report and development scheme amendment were submitted to the MEDQ for review and approval.
Publishing and notification of development scheme amendment.	<p>As soon as practicable after the MEDQ approved the development scheme amendment, the MEDQ published:</p> <ul style="list-style-type: none"> <li>• a gazette notice which established the date the development scheme amendment came into effect</li> <li>• the development scheme amendment and submissions report on the department's website, and</li> <li>• a notice in at least one newspaper circulating in the local area, stating the development scheme amendment had been approved and it was available on the department's website, along with the submissions report.</li> </ul> <p>In addition, the MEDQ notified State agencies, Brisbane City Council, and submitters that the development scheme amendment was in effect.</p>

### 3. Overview of submissions

#### 3.1 Submission numbers

A total of 54 submissions were received by EDQ, 52 during the public notification period and two additional submissions after the public notification period ended.

#### 3.2 Submission method

Table 2 below identifies the method by which submissions were lodged with EDQ.

Table 2: Breakdown of submissions by submission method

Method of submission	Number of submissions received
Post	5
Made in person	6
Email	20
Online submission	23
<b>Total submissions</b>	<b>54</b>

#### 3.3 Submitter interest in the PDA

Submissions were received from a variety of interested parties. A breakdown of the submissions by interest is outlined in table 3 below.

Table 3: Breakdown of submissions by interested party

Type of submitter	Number of submissions received
Resident	50
Business, Public sector entities and other organisations	4
<b>Total submissions</b>	<b>54</b>

#### 3.4 Overarching areas of support or concern

A review of the submissions identified general support for the:

- general outcomes of the development scheme
- protection of significant vegetation through creation of precinct 1 – environmental protection precinct.
- progressive refinement in the scale and form of the development from the original concept developed in 2016
- provision of a community centre.

Several matters of concern were also noted regarding the:

- level of detail regarding the development outcome including concern regarding the availability of technical reports and documents
- impacts of additional traffic generated by the development
- management of landslip areas, significant vegetation and fauna
- potential for land within the Hillside Remediation Overlay area to be held in private ownership.

A full evaluation of the submissions including consideration of both support and concern as detailed in section 4.0

## 4. Summary of submissions and amendments

#	Summary of Issue	Response	Amendment required?
<b>General comments – Level of detail and availability of technical information</b>			
1.	<p>Concern that the development scheme:</p> <ul style="list-style-type: none"> <li>• does not contain enough detail on the proposed development. Layout plans for the development should be provided</li> <li>• is not accompanied by detailed technical reports. geotechnical, traffic, flooding and ecological reports should be made available for public scrutiny</li> <li>• does not establish an open and accountable planning process where development is subject to external review by the community.</li> </ul>	<p>A development scheme is a regulatory document which establishes requirements for development within the PDA. The development scheme is not itself a proposal for development.</p> <p>The development scheme establishes objective outcomes for development within the PDA in terms of the envisaged form and layout of development. These outcomes also include the management of natural hazards such as flooding, landslip and bushfire and reference the relevant City Plan overlays.</p> <p>The development scheme requires that a development permit be obtained prior to undertaking development in the PDA. A development application must be made for a development permit, only development that is consistent with the development scheme may be granted a PDA development permit.</p> <p>A development application will detail the development proposed and will be accompanied by technical reports and supporting documentation demonstrating how the proposed development is consistent with the development scheme requirements. This will include layout plans for development, as well as geotechnical, traffic, flooding and ecological reports. Other relevant materials necessary to demonstrate consistency with the development scheme will also accompany the development application.</p> <p>The process for assessing a development application is outlined in the <i>Economic Development Act 2012</i> (the Act). The Act ensures a rigorous and thorough assessment of development. All development applications including their supporting documents are made publicly available on the departments website at <a href="https://www.dsdmip.qld.gov.au/edq/priority-development-area-development-applications.html">https://www.dsdmip.qld.gov.au/edq/priority-development-area-development-applications.html</a></p> <p>In addition to being made publicly available on the department's website, the development scheme establishes circumstances where a development application must be publicly notified. A development application requiring notification will be subject to a 20 business day submission period in which interested parties may make a submission on the proposed development.</p> <p>Public notification of a development application requires the applicant for the development:</p> <ul style="list-style-type: none"> <li>• post a notice about the proposed development in a newspaper circulating in the local area</li> <li>• notify all adjoining landowners of the proposed development</li> <li>• erect signs on the site about the proposed development.</li> </ul> <p>In deciding a development application that required public notification the MEDQ must consider all submissions made during the submission period.</p> <p>To ensure the community is informed of the proposed development and associated technical reports and has an opportunity to make a submission section 2.2.7 has been amended to require notification for the</p>	Yes



#	Summary of Issue	Response	Amendment required?
		first development application for a reconfiguration of a lot to define the precinct boundaries.	
<b>General comments – Landslip</b>			
2.	<p>General concern regarding the management of landslip across the site including in areas not included in the <i>Hillside remediation</i> overlay. Submitters raised concern with landslip risk in the south west corner of the site which is not identified on the Brisbane City Plan landslip hazard overlay map.</p>	<p>The development scheme establishes outcomes for the management of landslip within the PDA, ensuring that development does not result in a risk to people and property within and adjoining the PDA. This is achieved through the following provisions:</p> <p style="text-align: center;"><i>1. PDA wide criteria – section 2.5.2</i></p> <p>The PDA wide criteria section 2.5.2 apply to the entire site and require <i>the siting, design construction and operation of development supports community safety and gives appropriate consideration to development constraints</i> by:</p> <ul style="list-style-type: none"> <li>• <i>avoiding to the greatest extent practicable and then minimising and mitigating adverse impacts from development in areas prone to landslip<sup>19</sup>.</i></li> </ul> <p>Footnote 19 references the Brisbane City Plan landslip hazard overlay code which includes further detail on the management of landslip risk. Footnote 19 also requires that development applications be supported by geotechnical investigations for the proposed works.</p> <p>In response to the concerns raised by the submitters section 2.5.2 of the PDA wide criteria has been amended to include further requirements. The amendment is as follows:</p> <ul style="list-style-type: none"> <li>• development and infrastructure in an area at risk of landslip is located, designed and constructed not to adversely impact the safety of people, public infrastructure, private property and the environment</li> <li>• development is not at risk from and does not pose a risk to an adjacent or nearby site from landslip</li> <li>• development ensures that vegetation clearing, stormwater management and <a href="#">filling or excavation</a> on a site does not increase the risk of landslip.</li> </ul> <p><i>The Hillside remediation overlay – Section 2.7.1</i></p> <p>The hillside remediation overlay applies in addition to the PDA-wide criteria under section 2.5.2. The Hillside remediation overlay includes land on the eastern boundary of the site that is of a significant slope and largely unsuitable for development. The Hillside remediation overlay ensures that buildings and vehicular access does not occur within this area.</p>	Yes
3.	<p>Concern with the hillside remediation area being held in private ownership. The following justifications were provided:</p> <ul style="list-style-type: none"> <li>• inclusion of landslip areas in the rear of lots will transfer the risk of slope failure to private landowners who are not capable of maintaining or remediating the landslip</li> </ul>	<p>The development scheme ensures that development does not result in a risk to people and property within and adjoining the PDA (see item 2 above).</p> <p>The function of the hillside remediation overlay is to limit development within areas of the site that are of a significant slope and are largely unsuitable for development.</p> <p>A development application that proposes residential lots within the overlay area must outline what mechanisms will be employed to restrict works from</p>	Yes (refer item 2 above)

#	Summary of Issue	Response	Amendment required?
	<p>area.</p> <ul style="list-style-type: none"> <li>inclusion of landslip areas in the rear of lots will result in inadequate control over the further development of the hillside remediation area, which could lead to slope failure</li> <li>the Interim Land Use Plan identified this land as Environmental Protection, providing assurance to the community that the land would be correctly managed</li> <li>the hillside remediation area should be publicly accessible open space.</li> </ul> <p>Note some support was provided for hillside remediation area to be included at rear of lots where these lots are of a sufficient size to ensure development does not occur within the hillside remediation area.</p>	<p>occurring within the overlay area. Footnote 42 identifies building envelope restrictions as a suitable solution. Other viable options may include building covenants or easements.</p> <p>Restrictions of this nature are common practice where residential lots incorporate significant vegetation or are subject to other constraints.</p> <p>The open space and recreation precinct and the environmental protection precinct serve different purposes than the hillside remediation overlay.</p> <p>The environmental protection precinct includes areas that are of environmental significance and have associated conservation, biodiversity, habitat and scenic amenity values. The environmental protection precinct exists primarily to ensure the protection of endangered regional ecosystems which are not present within the hillside remediation overlay area.</p> <p>The open space and recreation precinct provides for recreational uses and is appropriately sized and configured to ensure the land provides a positive contribution to Brisbane's open space network.</p> <p>The hillside remediation area does not meet the functional requirements necessary to provide a viable contribution to the public open space network. While the creation of this land as park is not prohibited it is also not identified as a preferred outcome on the following basis:</p> <ul style="list-style-type: none"> <li>slope – the significant grade of the site inhibits equal access, creates a significant maintenance impost and minimises the utility of the land for recreational purposes</li> <li>Crime Prevention Through Environmental Design Principles (CPTED)<sup>1</sup>:- urban design plays a significant role in ensuring community safety in the public realm including by ensuring adequate surveillance of the public realm and minimising entrapment zones and vulnerable spaces. The hillside remediation area is a narrow strip of very steep land with minimal road frontage. Creation of this land as public open space could create an unsafe space with poor accessibility.</li> </ul>	
4.	Historic articles, technical reports and personal accounts of landslip within and around the PDA were submitted.	The submitted historic accounts of the geological conditions of the site have been provided to EDQ's development team for consideration as part of detailed geotechnical investigations for the site.	No
<b>General comments – Traffic and access</b>			
5.	Concern with the impact of traffic generated by development within the PDA on the public road network.	<p>The PDA-wide criteria section 2.5.4 requires that development:</p> <p><i>ensure the safe and efficient operation of the road and active transport network outside of the PDA, including Seventeen Mile Rocks road (including service road), Blackheath Road and Cliveden Avenue, is not adversely impacted.</i></p> <p>A development application for the site will be accompanied by a detailed traffic investigation demonstrating how this outcome is achieved.</p>	No

<sup>1</sup> Refer to the Crime Prevention through Environmental Design – Guidelines for Queensland available online at: <https://www.police.qld.gov.au/programs/cscp/safetyPublic/Documents/CPTEDPartA.pdf>

#	Summary of Issue	Response	Amendment required?
		<p>The submitted traffic assessment will need to detail the traffic generated by the development and how this traffic will be distributed onto the public road network. The report will include an assessment of the capacity and level of saturation for each of the intersections impacted by the development.</p> <p>The report will outline what works are required to minimise and mitigate the impacts of the development. Roads proximate to the PDA have been identified as PDA associated land allowing for any required road works to be assessed under a single assessment framework.</p>	
<b>General comments – Protection of vegetation</b>			
6.	<p>Concern regarding the protection of significant vegetation within the PDA.</p> <ul style="list-style-type: none"> <li>Some submitters recommended significant trees be identified and valued, and a financial offset be levied for any damage or destruction of protected trees.</li> <li>Some submitters identified particular trees within the site which constitute significant vegetation.</li> <li>Some submitters identified concern with the removal of trees located within private ownership, and the capacity for future land owners to apply for the removal of these trees.</li> </ul> <p><i>Note- submissions relating to the environmental protection precinct are detailed in item number 49-52, submissions relating to the hillside remediation overlay are detailed in item number 2 -4.</i></p>	<p>To the greatest extent practicable, the development scheme provides for the protection of significant vegetation across the site.</p> <p>The protection of significant vegetation is regulated in the following ways:</p> <p><u><i>Vision for the PDA</i></u></p> <p>The vision for the PDA is the highest order element of the development scheme. The vision requires that <i>development value and protect matters of environmental significance, including vegetation and habitat, ensuring the health and resilience of biodiversity is maintained or enhanced to support ecological process.</i></p> <p>This higher order outcome informs the requirements of the PDA wide criteria, precinct provisions and overlays.</p> <p><u><i>PDA-wide criteria</i></u></p> <p>The PDA-wide criteria apply to all development within the PDA and require that development avoid and minimise impacts on biodiversity values, ecological features and ecological processes by:</p> <ul style="list-style-type: none"> <li>Protecting endangered vegetation</li> <li>Retaining significant vegetation in hillside lots and for street trees and features trees in roads, public and open spaces.</li> </ul> <p><u><i>Precinct 1</i></u></p> <p>Precinct 1 – environmental protection contains the most significant vegetation. To ensure the long-term protection of these ecological values only minor development which does not impact the ecological values of the precinct may be carried out.</p> <p><u><i>Significant vegetation interface overlay</i></u></p> <p>The significant vegetation interface overlay outlined on Map 2 and detailed in Section 2.7.2 of the scheme requires development avoid to the greatest extent practicable, or minimise and mitigates impacts on biodiversity values of the land. Footnote 44, as referenced in this section requires that development within the overlay be supported by an ecological investigation report detailing the impact of development and requiring a detailed tree survey of significant vegetation.</p> <p>A development application will detail mechanisms such as building envelopes or covenants to ensure that to the greatest extent practicable development</p>	No

#	Summary of Issue	Response	Amendment required?
		<p>does not impact on significant vegetation.</p> <p>The definition of significant vegetation comprehensively covers values, character and preservation.</p>	
<b>Other general comments</b>			
7.	Concern regarding development of the site for private uses. Site should instead be provided as public park and community facilities.	<p>The Oxley PDA development scheme provides for:</p> <ul style="list-style-type: none"> <li>a significant contribution to the public open space network</li> <li>the preservation of the bushland area</li> <li>the relocation of the C&amp;K childcare centre; and</li> <li>the delivery of a new community facility.</li> </ul> <p>Private development envisaged for the PDA includes:</p> <ul style="list-style-type: none"> <li>low density residential development consistent with the surrounding area; and</li> <li>medium rise aged care and retirement living in the north west portion of the site.</li> </ul> <p>The scale of development provided for by the development scheme will support the delivery of the open space and community outcomes.</p>	No
8.	Concern that the main purpose of the <i>Economic Development Act 2012</i> (the Act) "to facilitate economic development and development for community purposes in the State" is ambiguous and broad in scope.	The main purpose of the Act is sufficiently broad to guide the range of functions and powers under the Act. It is not proposed that the purpose of the Act be amended.	No
9.	General support for the outcomes of the development scheme.	Noted	No
<b>2.0 Land use plan</b>			
<b>2.2 Development Assessment</b>			
10	The PDS allows for interim uses, however, there are insufficient criteria that limit the size and scale of these uses or provide a timeframe for their operation.	Interim uses are not intended to be long term uses envisaged by the development scheme. These uses however may be appropriate in the short term where they do not preclude the ultimate development of the site. Development conditions may be employed to limit the scale and duration of an interim use. These matters will be dealt with at development application stage and assessed on a case by case basis.	No
11	The term 'sufficient grounds' in section 2.2.4 is ambiguous and broad in scope. Further examples and guidance should be provided to clarify the terms used in this section. "	<p>The development scheme establishes outcomes in the structural elements, PDA-wide criteria, precinct provisions and overlays. Development that achieves these outcomes is consistent with the land use plan.</p> <p>The concept of sufficient grounds provides for the exceptional circumstances where there is a public interest to justify the approval of development despite an inconsistency with one or more of the outcomes of the land use plan.</p>	No
12	<p>PDA-associated land should be expanded to include:</p> <ul style="list-style-type: none"> <li>Fort Road</li> <li>The Fort Road/ Cliveden Avenue intersections</li> </ul>	<p>The development scheme specifies PDA associated land for the roads surrounding the PDA. This enables development infrastructure for the PDA to be assessed under the <i>Economic Development Act 2012</i> and the Oxley PDA development scheme.</p> <p>The development scheme does not preclude works</p>	No

#	Summary of Issue	Response	Amendment required?
	<ul style="list-style-type: none"> <li>Ardoyne Road</li> <li>The railway overpass and nearby roundabout at Seventeen Mile Rocks Road/ Oxley Station Road</li> </ul>	<p>from being carried out outside the boundary of PDA-associated land.</p> <p>Such works may be subject to an approval under the Planning Act, assessed against the Brisbane City Plan.</p> <p>The extent of PDA associated land does not indicate that works will occur over all of this land or that works outside of this extent will not be required.</p> <p>Any road works identified in a traffic report prepared for the development application for the site will be conditioned as part of the Development approval. It will be the responsibility of the applicant to obtain the necessary approvals under either the Economic Development Act or the Planning Act.</p> <p>The jurisdiction of EDQ and the development scheme does not extend to the general management of the entire local road network.</p>	
<b>2.3 Vision</b>			
13	The vision is a loose description of what EDQ wants to happen and provides no certainty of good design that suits the site and the requirements of users.	<p>The vision is the highest order element of the land use plan which informs the outcomes sought by the more detailed PDA wide criteria and precinct provisions.</p> <p>Prescriptive requirements would undermine the hierarchical nature of the instrument and will limit innovative responses to development constraints.</p>	No
14	The PDS needs to include detailed provisions that identify how the Vision (section 2.3) and the PDA-wide criteria (section 2.5) will be met. This can occur through incorporation of City Plan code provisions, Council strategies such as New World City Design Guide: Buildings that Breathe and diagrams to demonstrate how these specific provisions can be met.	The development scheme vision and PDA wide criteria establish outcomes for development. These outcomes are supported by footnotes which provide guidance on how these outcomes may be achieved, and incorporate references to city plan codes and guidelines, including those mentioned in the submission.	No
15	The vision states that <i>development respect the existing urban and natural environment</i> . Any development on the South west corner of Sub-precinct 3a will likely have a detrimental impact on the land value, amenity, noise pollution and light pollution for existing dwellings.	<p>The vision informs the outcomes sought throughout the land use plan.</p> <p>Sub-precinct 3a ensures that development is compatible with the existing urban framework; it envisages a low-density residential outcome comparable with the existing urban fabric.</p> <p>The PDA-wide criteria section 2.5.1 Environment, sustainability, open space and recreation ensures development is compatible with the natural environment by avoiding or minimising impacts on biodiversity values, ecological features and processes.</p>	No
16	The vision states that <i>development value and protect matters of environmental significance including vegetation and habitat ensuring the health and resilience of biodiversity is maintained or enhanced to support ecological processes</i> .	<p>The vision informs the outcomes sought throughout the land use plan.</p> <p>The PDA-wide criteria section 2.5.1 as well as the Significant vegetation interface overlay identify further requirements for development to ensure the biodiversity outcomes of the vision are achieved through development.</p>	No

#	Summary of Issue	Response	Amendment required?
	Any development in the south-west of precinct 3a will likely have a detrimental impact on the native fauna who feed, rest and socialise in this area		
17	The vision states that development " <i>protect people and property and enhance the community's resilience to natural hazards including flood, landslip risk and bushfire</i> ". Portions of the site are in the very low and low flood hazard areas. Development should not be located in flood prone areas.	The vision informs the outcomes sought by the land use plan. Specifically, the PDA-wide criteria section 2.5.2 <i>Community safety and development constraints</i> outlines requirements for the management of flood hazards. Reference is made to the Brisbane City flood overlay code and flood planning scheme policy ensuring a city-wide approach to the assessment of the flood hazard. Land subject to the 2011 flood event is included within the open space and recreation precinct and will not be developed for residential or other purposes.	No
18	The vision states <i>development delivers sustainable communities with a strong identity and access to facilities that meet the needs of the local community</i> . Any lot configurations should take into consideration the ability of existing dwellings bordering the south-west corner of the PDA to access community facilities	The PDA wide criteria section 2.5.4 establish outcomes for the street and movement network in the PDA and ensure clear connection to key locations internal and external to the PDA.  It is noted that the topography of the site is likely to influence the street layout.	No
19	The vision states <i>development manages traffic impacts by limiting through traffic and improving street connections</i> . Traffic for community facilities, aged care and child care could be directed through Cliveden Avenue to limit the impact of through traffic on new residential lots in Sub-precinct 3a and existing residents on the Seventeen Mile Rocks Road slip road.	The development scheme establishes a secondary access point on Cliveden Avenue. A secondary access to the site is required to ensure safe evacuation in the event of a bushfire and to efficient access to the open space and recreation precinct by emergency vehicles.  It is not considered appropriate to elevate the function of this access on the basis that: <ul style="list-style-type: none"> <li>the access is flood affected during significant rainfall events</li> <li>directing additional traffic through this access would likely put additional strain on the already constrained road corridors of Blackheath Road and Fort Road.</li> </ul>	No
<b>2.4 Structural elements</b>			
20	The boundary of precinct 1 should be revised to include the significant vegetation interface overlay area and grassy areas on the southwest corner of Sub-precinct 3b.	The regulation of vegetation within the PDA responds to the significance of the vegetation and its biodiversity value.  Precinct 1 – Environmental protection contains land mapped as Endangered regional ecosystem on the vegetation management plan. Most development within precinct 1 is prohibited.  The significant vegetation interface overlay applies to the area identified as least concern regional ecosystem. Development within the significant vegetation interface overlay must avoid, minimise and mitigate impacts on biodiversity values. Development is to be supported by ecological investigations.  The PDA wide criteria related to biodiversity continue to apply to the grassy areas in the southwest corner of the site however they are not considered to have significant biodiversity value and do not warrant additional regulation.	No

#	Summary of Issue	Response	Amendment required?
<b>2.4 Structural elements – Map 2 Structural Elements Plan</b>			
21	Concern that the hillside remediation overlay area does not show any water management infrastructure as being required.	The development scheme establishes outcomes to ensure the stability of the site. Works may require the management of stormwater to prevent further destabilisation of the land. The nature of these works will be determined through detailed technical investigations and reports supporting a development application for the site.  These technical investigations and reports will be made publicly available once an application is lodged.	No
22	Concern with the 25m wide storm water runoff diversion on the western boundary: <ul style="list-style-type: none"> <li>is neither cost effective nor in accordance with the environmental vision statement: to retain the maximum amount of native vegetation undisturbed</li> <li>does not reflect existing site conditions or address significant run-off.</li> </ul>	The stormwater works are located outside of the vegetation mapped as Endangered regional ecosystem and provide a buffer between development and retained vegetation, limiting edge effects and helping to provide protection from bushfire.  Initial investigations indicate that stormwater works area required to address overland flow impacts at the location indicated on the structural elements plan.  Technical reports will accompany a development application for the site demonstrating what stormwater works are required to be undertaken within the site.	No
23	For future development on the site, the PDS should take into consideration the overland flow path shown on the Flood overlay of City Plan.	EDQ has undertaken site specific preliminary stormwater investigations which identifies the appropriate location for the stormwater management being where it is indicatively shown in the structural elements plan.  The development scheme requires consideration of potential impacts from overland flow, reference is made to the standards and guidance's identified in the Queensland Urban Drainage manual 2013 and The Brisbane City Plan Flood overlay code.  Technical reports will accompany a development application for the site demonstrating what stormwater works are required to be undertaken within the site.	No
24	The boundary of the environmental protection should reflect the Biodiversity overlay in Brisbane City Plan.	The Queensland Government released a new version of the essential habitat mapping over South East Queensland. The proposed development scheme has been strengthened to reflect the most recent mapping.  EDQ has carried out preliminary on-site ecological investigations which indicate that the extent of significant vegetation is largely confined to the areas identified on the vegetation management map as endangered regional ecosystem (precinct 1) and least concern regional ecosystem (significant vegetation interface overlay). The protection of significant vegetation within lots can be managed through the application of building envelopes (as referenced in the proposed development scheme) or similar restrictions enforced through a development approval over the site. These matters will be further interrogated as part of the development assessment process.	No
25	The structural elements plan does not show any context within the surrounding area (such as	The structural elements plan has been informed by the contextual surroundings of the PDA, including its relationship with infrastructure, site constraints and	No

#	Summary of Issue	Response	Amendment required?
	bus routes, railway line, cycle paths, bushland connectivity).	environmental areas.  The structural elements plan relates only to the assessment of development within the PDA and by reference to schedule 3, PDA-associated development. Features and locational characters external to the PDA are not shown on the plan to avoid any ambiguity regarding the regulatory effect of the plan.  Some existing contextual features are shown on map 1.	
<b>PDA-wide criteria</b>			
<b>2.5.1 Environment, sustainability, open space and recreation</b>			
26	The hillside area provides significant amenity to neighbouring properties. Clarity is sought regarding which trees are to be retained in the hillside area and whether a map of these trees will be made publicly available.	The scheme requires the retention of significant vegetation in hillside lots and for street trees and feature trees in roads and public and open space areas. Additional planting will occur within the hillside area where this planting assists in stabilising the land.  A development application for the site will be accompanied by an ecological investigation including a survey of significant vegetation and identifying what vegetation is to be retained. The development application will also be accompanied by geotechnical investigations specifying remediation works to ensure the long term stability of the land.  The Hillside remediation overlay protects areas of significant slope and enables residential lots to extend into this area where appropriate controls are employed to ensure buildings etc do not occur within the overlay area.  Details regarding the lot configuration and ultimate ownership of the hillside area will be resolved through the development application process.	No
27	The development scheme should restrict planting to local native species to protect the adjacent native bushland areas.  Owners of land adjacent the environmental protection precinct should be prohibited from planting horticultural species that are known environmental weeds.	An additional point has been added to section 2.5.1 as follows:  <i>Ensuring additional planning is restricted to local native plant species compatible with the adjacent bushland and habitat values of the site.</i>  The <i>Economic Development (Vegetation Management) By-law 2013</i> which applies to Brisbane PDAs deals with hazardous and pest vegetation. In addition, the significant vegetation definition calls up the <i>Biosecurity Act 2014</i> with regard to invasive plants.	Yes
28	Stormwater flow appears to be causing damage/erosion to the hillside remediation area, presenting a potential safety hazard. The current development scheme Structural Elements Plan does not appear to include any stormwater management to deal with this part of the development site.	The stormwater works shown on the Structural elements plan is located beside the vegetation mapped as endangered regional ecosystem and provide a buffer between development and retained vegetation, limiting edge effects and helping to provide protection from bushfire.  Initial investigations indicate that stormwater works area required to address overlay flow impacts at the location indicated on the structural elements plan.  Technical reports will accompany a development application for the site demonstrating what stormwater works are required to be undertaken within the site, including near the Hillside remediation area.	No
29	Concern regarding the protection of old trees located outside the	Section 2.5.1 of the development scheme requires the retention of significant vegetation in hillside lots and	No



#	Summary of Issue	Response	Amendment required?
	environmental protection precinct.	<p>for street trees and other feature trees in roads and public open space areas.</p> <p>A development application for the site will be accompanied by a detailed tree survey, identifying significant trees and to the greatest extent possible locating building envelopes away from significant vegetation.</p> <p>The removal of significant vegetation by future owners would require a PDA development approval issued by the MEDQ for the removal of the vegetation.</p> <p>The implementation strategy under section 4.2 of the scheme includes an action to ensure future landowners are adequately informed of their obligations to retain significant vegetation. The definition of significant vegetation comprehensively covers vegetation values, character and preservation.</p> <p>Failure to comply with the construction management plan is a development offence for which EDQ may undertake enforcement actions to remedy the non-compliance.</p>	
<b>PDA-wide criteria</b>			
<b>2.5.2 Community safety and development constraints</b>			
30	How will dust pollution be managed/mitigated during construction? Who will monitor the developer's compliance with this rule/requirement? What recourse will neighbouring property owners have if pollution, air quality or noise is not managed appropriately?	<p>An approval for development within the site will require the preparation of a construction management plan.</p> <p>The construction management plan will outline the mechanisms to ensure the impacts of construction are appropriately managed, including the management of noise and dust.</p> <p>Compliance with the construction management plan is the obligation of the developer.</p>	No
31	<p>The development scheme should apply the provisions of Brisbane City Plan in relation to:</p> <ul style="list-style-type: none"> <li>stormwater management</li> <li>flooding.</li> </ul>	<p>The Oxley PDA development scheme is a site-specific land use plan which guides the redevelopment of the site. In preparing the proposed development scheme regard has been had to the Brisbane City plan including relevant overlays.</p> <p>The management of flooding, biodiversity areas as well as streetscape outcomes have been incorporated into the development scheme. The development specifically references Brisbane the Brisbane City Plan Flood overlay code.</p>	No
32	<p>Further consideration of the flood extents on this site need to be made in the light of both the 2011 and 1974 flood peaks.</p> <p>Concern regarding the accuracy of Brisbane City Plan flood overlay mapping of the 1974 flood.</p>	<p>Section 2.5.2 requires development avoid to the greatest extent practicable and then minimise and mitigate adverse impacts from stormwater and flooding. Footnote 21 references the requirements, standards and guidance identified in the Brisbane City Plan Flood overlay code and Flood planning scheme policy. Reference to Brisbane City Plan Flood overlay code ensures a thorough and complete assessment of the flood hazard and provides consistency with the city wide standards for development in a Flood hazard overlay.</p>	No
<b>PDA-wide criteria</b>			
<b>2.5.3 Built form</b>			
33	Concern that the development will impact on the bushland feel of the site. The number of trees removed from the site will have a direct impact on this. How will the	<p>The development scheme requires that development protect significant vegetation and maximise views, vistas and outlook including to bushland and open space and requires that buildings are of a height and scale that:</p>	No

#	Summary of Issue	Response	Amendment required?
	impact of the development on the amenity of the neighbouring properties be monitored and managed?	<ul style="list-style-type: none"> <li>are compatible with surrounding neighbourhood</li> <li>make efficient use of land</li> <li>are consistent with planned infrastructure, and</li> <li>are appropriate for the site area.</li> </ul> <p>Building heights of up to six storeys are only permissible in the lowest portion of the site, the furthest most point from existing residential dwellings.</p>	
<b>PDA-wide criteria</b>			
<b>2.5.4 Street and movement network</b>			
34	<p>Concern regarding the secondary access from Cliveden Avenue:</p> <ul style="list-style-type: none"> <li>implications of this access on feeder roads (Blackheath Road, Fort Road).</li> <li>“essential vehicles” is not sufficiently clear as to what vehicles are to be allowed; nor how the restriction will be applied to other vehicles.</li> </ul> <p>Some submitters proposed increased use of this access to mitigate use of the Seventeen Mile Rocks Road access.</p>	<p>The site has three road frontages, Seventeen Mile Rocks Road (service road), Cliveden Avenue and Blackheath road (partial frontage).</p> <p>The development scheme identifies the primary access to the development via Seventeen Mile Rocks Road (service road).</p> <p>Cliveden Avenue and Blackheath Road are not considered as suitable primary access locations due to impacts associated with routing traffic down lower order roads. In response to concern about the secondary access from Cliveden Avenue section 2.5.4 has been expanded to clarify the secondary access to the site is required to ensure safe evacuation in the event of a bush fire and to ensure efficient access to the open space and recreation precinct by emergency vehicles.</p> <p>It will also maintain access to the existing Yuingi C&amp;K childcare until the relocated child care centre is operational. This has been clarified as a footnote in the development scheme.</p> <p>It is not intended as access for residents or visitors to the site.</p> <p>The management of the secondary access will be dealt with as part of the development assessment process.</p>	Yes
35	<p>The section of Cliveden Avenue between Fort Road Reserve and the PDA should be closed off, or at very least speed humps paced in this section or an elevated wildlife crossing to:</p> <ul style="list-style-type: none"> <li>protect wildlife by slowing traffic</li> <li>mitigate rat-running; and</li> <li>deter hoons.</li> </ul>	<p>A traffic report will be prepared and submitted to support a development application for the site. The traffic report will address the impacts of development within the site and any works required to address these impacts.</p> <p>The primary access for the proposed development is from Seventeen Mile Rocks Road with access from Cliveden Avenue being restricted to essential vehicles. It is unlikely that the proposed development will result in additional impacts on Cliveden Avenue.</p> <p>The functionality of the local road network beyond the PDA is the responsibility of Brisbane City Council as the road authority. The jurisdiction of EDQ and the development scheme does not extend to the general management of the entire local road network and traffic calming measures.</p> <p>An ecological investigation submitted in support of a development application for the site will address any need for fauna movement across the site.</p>	No
36	Concern regarding additional vehicles parking on Cliveden Avenue to access the open	Section 2.5.4 of the development scheme requires that development provide car parking and service areas that meet the functional requirements of the	No

#	Summary of Issue	Response	Amendment required?
	space and recreation precinct.	PDA.  A traffic report accompanying a development application will need to demonstrate how the open space and recreation precinct will be serviced with adequate parking.	
37	Concern for increased traffic on roads proximate to the PDA including: <ul style="list-style-type: none"> <li>Blackheath Road.</li> <li>Cook Street</li> </ul>	Section 2.5.4 of the scheme requires that development does not adversely impact on the existing public road network external to the PDA.  The functionality of the local road network beyond the PDA is the responsibility of Brisbane City Council as the road authority. The jurisdiction of EDQ and the development scheme does not extend to the general management of the entire local road network  A development application for the site will need to be accompanied by detailed traffic investigations demonstrating that the development does not adversely impact on the public road network. These technical investigations will be made publicly available during the assessment of the development application.	No
38	Concern regarding the development access from Seventeen Mile Rocks Road. <ul style="list-style-type: none"> <li>increased traffic will cause delays at the access locations particularly for existing dwellings fronting Seventeen Mile Rocks Road.</li> <li>increased traffic on the Seventeen Mile Rocks slip road will result in amenity issues for existing residents near the access</li> <li>need to upgrade the roundabout at the intersection with Seventeen Mile Rocks Road and Kingsgate Street.</li> </ul>	The constrained carriageway of Blackheath Road and flood susceptibility of Cliveden Avenue mean that the only suitable primary access is from Seventeen Mile Rocks Road.  Preliminary traffic investigations have identified viable design options for the intersection of Seventeen Mile Rocks Road, Seventeen Mile Rocks Road service road and Kingsgate Street  Detailed traffic investigations will accompany a PDA development application for the site and will identify the works necessary to address the impacts of development within the site including any access works. These investigations will be subject to a rigorous development assessment process which includes making accompanying technical reports publicly available on the department's website.	No
39	Concern regarding the safety of the slip lane on Seventeen Mile Rocks Road north west of the intersection with Fort Road, Monier Road and Pannard Street	Brisbane City Council is the appropriate authority for queries regarding the operation of the existing road network. The jurisdiction of EDQ and the development scheme does not extend to the general management of the entire local road network.  A traffic report for the proposed development will address the impact of the proposed development on the existing road network, this report will be made publicly available once a development application is lodged.  It should however be noted that the slip lane is unlikely to be affected by the proposed development due to its distance from the site.	No
40	Query how many vehicles per dwelling will be permitted and how the access and servicing arrangements will be managed.	It is not within the scope of a development scheme to control of the number of vehicles owned by a household. The development scheme regulates development including the provision of car parking spaces and the access and servicing arrangements	No

#	Summary of Issue	Response	Amendment required?
		<p>for development.</p> <p>In this regard the development scheme requires adequate parking to meet the functional requirements of the PDA. Reference is made to Brisbane City Council's transport access and parking planning scheme policy (TAPS) which sets out the following car-parking standards:</p> <ul style="list-style-type: none"> <li>• dwelling houses provide a minimum 1 space per dwelling plus an additional space for a secondary dwelling</li> <li>• residential care facilities provide a minimum of a space per six beds</li> <li>• retirement facilities provide 0.7 space per dwelling plus 0.3 space per dwelling for visitors and staff.</li> </ul>	
41	Footpaths and separated off road bike lanes should be provided on all new roads.	<p>PDA wide criteria section 2.5.4 ensures development creates safe, welcoming, pleasant and character rich streets and shared areas which prioritise the safety and experience of pedestrians and cyclists.</p> <p>In accordance with EDQ's street and movement network guideline and the Brisbane City Council infrastructure design planning scheme policy, footpaths will be provided to all new streets within the PDA.</p>	No
42	Concern regarding pedestrian accessibility to the site and connectivity with the train station	<p>Section 2.5.2 of the scheme requires development maximise public transport patronage by creating an appropriate interface with and orientation to public transport including improved linkages to the Oxley Railway Station.</p> <p>A development application for the site must demonstrate how the proposed development achieves this outcome.</p>	No
43	Suggest access from the rear of lots fronting Seventeen Mile Rocks Road to nature pathways within the site connecting to public transport and community facilities.	<p>The development scheme (section 2.5.4) provides for safe and legible movement options for pedestrians that promote equitable access and respond to the site topography and wayfinding elements to improve connectivity and pedestrian permeability in the PDA and the surrounding area.</p>	No
44	Concern regarding the limited number of accesses to the development. Suggest that the site include at least two sealed accesses.	<p>The site has three road frontages, Seventeen Mile Rocks Road (service road), Cliveden Avenue and Blackheath Road (partial frontage).</p> <p>The development scheme identifies the primary access to the development via Seventeen Mile Rocks Road (service road).</p> <p>Cliveden Avenue and Blackheath Road are not considered as suitable primary access locations due to impacts associated with routing traffic down lower order roads (and flood susceptibility in terms of Cliveden Avenue).</p> <p>A secondary access is provided from Cliveden Avenue for use by essential vehicles ensuring safe egress in case of a bushfire emergency.</p>	No
45	Please clarify if articulated lorries will be allowed to use Blackheath and Fort Roads to gain entrance via Cliveden Avenue during the	<p>The preparation of a Traffic Management Plan (TMP) will be required as a condition of a PDA development approval. The TMP will detail the management of traffic and car-parking associated with construction</p>	No

#	Summary of Issue	Response	Amendment required?
	construction period.	activity within the site. This will include identifying site access for vehicles.  The traffic management plan must be prepared and submitted to EDQ prior to works commencing on site.	
<b>PDA-wide criteria</b>			
<b>2.5.5 Service infrastructure</b>			
46	Nil	Nil	N/A
<b>2.6 Precinct provisions</b>			
47	Concern that footnote 37 does not reference requirements for technical reports form a geotechnical engineer to accompany a reconfiguration of a lot application to define precincts.	The boundary of precinct 1 has been based on the category B endangered regional ecosystem layer of the Queensland Government Vegetation Management Map. The final boundary of precinct 1 will require on site investigation to determine the exact extent of vegetation.  Requirements for geotechnical investigations are not specifically related to the precinct boundaries and are required elsewhere within the development scheme including section 2.5.2.	No
<b>2.6.1 Precinct 1 – Environmental protection</b>			
48	A physical weed barrier should be employed to protect native vegetation in precinct 1 from surrounding precincts 2, 3a and 3b as well as private property to the west. A 2m wide formed (not sealed) walking track is suggested.	The precinct 1 intent under section 2.6.1.1 requires that adjoining development does not disturb, diminish or detract from the environmental values of the precinct. The precinct intent also provides for informal tracks and trails for use by the public.  The precinct intent for precinct 3 reinforces this requirement by requiring development in precinct 3 to incorporate an adequate buffer where adjoining precinct 1 to limit impacts on significant vegetation.	Yes
49	Precinct 1 is infested by a large number of invasive weeds. Allowance needs to be made to provide funding for the removal of these weeds prior to transfer of the land to Brisbane City Council.	EDQ will liaise with Brisbane City Council regarding these matters.	No
50	Environmental protection area will need designated sustainable maintenance officer to be responsible for associated green areas.	EDQ will liaise with Brisbane City Council regarding these matters in conjunction with oversight of the management of the Fort Bushland Reserve.	No
51	The reference to minor tracks and trails is supported in principle, as it provides an opportunity for people to gain an appreciation of the environmental and landscape values of the conservation area.	Noted.	No
52	General support for the environmental precinct.	Noted.	No
<b>2.6.2 Precinct 2 – Open space and recreation</b>			
53	Extent of sports field land to be handed to council is unclear and needs to be clarified.  Appropriate park infrastructure and embellishments should be provided for.	A development application for the site will accurately define the boundaries of the open space and recreation zone (informal sport and recreation).  Open space embellishments and amenities will be determined through the development application process having regard to the relevant standards.	No
54	Land subject to landslip should be included in public open space.	While the development scheme does not preclude this land from being included within public open space, it is recognised that there are management	No

#	Summary of Issue	Response	Amendment required?
	Note – some submissions suggested the land should be included within the Environmental precinct as noted in the Interim Land Use Plan.	issues. The development scheme requires that development must demonstrate how it achieves the principal outcomes being stability of the land and the quality of open space that is delivered. Also see item 3.	
55	The specific references to the establishment of a 'community garden' in section 2.6.2.1, section 4.2 and Schedule 2 – Definitions should be removed. While the concept of a community garden is supported, this site has not been adequately evaluated for that purpose and it is preferable not to indicate that there is a specific intent for a community garden within the site.  Council has site selection criteria which it applies to community garden requests and is currently reviewing its policy and procedures related to community gardens. Proposals are assessed against evaluation criteria based on their merits, location, community capacity, site constraints, safety and a number of other factors. It is important to note that the process for establishing community gardens is driven by community demand.  Concern that the community garden may detract from residential amenity of new and existing residents.	The requirement for a community garden has been removed.  This amendment does not preclude the establishment of a community garden within the PDA.	Yes
56	Query whether car parking is to be provided at the bottom of the recreation oval and where this car parking is to be accessed from.	Any car parking associated with the open space and recreation precinct is accessed via the primary access location on Seventeen-Mile Rocks Road.	No
57	Disabled toilets should be included within the open space and recreation precinct	Open space embellishments and amenities will be determined through the development application process having regard to the required standards. EDQ will liaise with Brisbane City Council regarding these matters	No
58	Query what is meant by the requirement 'adequate parking and traffic management' means.	The development schemes requirement for adequate parking and traffic management is an objective based outcome that will depend on the nature of the uses proposed.  A traffic report will be prepared by the applicant in support of a PDA development application for the site. The traffic report will need to demonstrate the adequacy of the proposed carparking including justification based on relevant standards, such as Brisbane City Plan. Reference is made to Brisbane City Council's transport access and parking planning scheme policy.	No
<b>2.6.3 Precinct 3 – Community</b>			
59	The development footprint should be restricted to the footprint of the	The former Oxley Secondary College buildings are not of a comparable use, scale or impact to the	No

#	Summary of Issue	Response	Amendment required?
	former Oxley Secondary College school buildings.	<p>predominantly detached low density residential development envisaged by the Oxley PDA development scheme.</p> <p>Despite the larger development footprint, the Oxley PDA Development Scheme ensures the bushland character of the site is retained by maintaining significant vegetation, preserving the topography of the site and delivering an average lot size of 800m<sup>2</sup>.</p> <p>It should be noted that the redevelopment of the site provides the necessary funding to undertake works to remove derelict and asbestos affected buildings, remediate hillside land, deliver new park and public open space, relocate the childcare centre and carry out the road and stormwater works. If the development footprint were to be further restricted it would substantially hinder the feasibility of the project and the delivery of the community outcomes sought by the PDA development scheme.</p>	
60	<p>This precinct should include educational establishment as a preferred land use in order to accommodate 1,000 students, in addition to residential, aged care, community and open space uses.</p> <p>Inclusion of education establishment will not have a fundamental impact on the intent or vision for precinct 3 which strives to establish a new neighbourhood comprising dwelling houses and community uses as well as a childcare centre, a retirement facility/residential care facility.</p>	<p>While not prohibited, the development scheme does not include educational establishment as a preferred land use on the basis that:</p> <ul style="list-style-type: none"> <li>it would likely result in significant traffic generation during the peak periods impacting on the constrained access points at Seventeen Mile Rocks road and Cliveden Avenue</li> <li>the functional requirements of a school typically limit public access to open space during the week and for weekend events, having the potential to undermine the public's access to open space in precinct 2 (open space and recreation).</li> <li>a school could not be accommodated in addition to the preferred use of the site as low density (average lot size of 800m<sup>2</sup>), retirement/aged care, community facilities, with the bulk of the site being committed to open space and preservation of bushland.</li> </ul>	No
61	<p>The establishment of a community centre should include meeting rooms, a kitchen, offices, public toilets, storage facilities and an outdoor area.</p> <p>A small café/ coffee vendor is also supported.</p>	Detailed design will be considered at development application stage.	No
62	Query how noise privacy is to be achieved considering the topography of the site.	<p>The nature of the uses that are appropriate within the community precinct are not expected to result in unacceptable noise levels.</p> <p>Noise impacts will be managed by the appropriate location and orientation of buildings.</p>	No
63	Building covenants should be placed on what plants can be grown on properties adjoining the bushland to protect the long-term integrity of native species in the bushland.	The <i>Economic Development (Vegetation Management) By-law 2013</i> which applies to Brisbane PDAs deals with hazardous and pest vegetation. In addition, the significant vegetation definition calls up the <i>Biosecurity Act 2014</i> with regard to invasive plants.	No
64	The development scheme should reference the Brisbane City plan home based business code	Section 2.6.3.2 has been amended to reference Brisbane City Plan home based business code.	Yes
65	The proposed development scheme proposes residential care	Section 2.5.2 of the proposed development scheme requires development avoid, minimise and mitigate	No

#	Summary of Issue	Response	Amendment required?
	<p>and child care facilities, occupied by aged residents and children, which will be in proximity to areas susceptible to bushfire.</p> <p>Development provisions should be included in this section which address the potential impacts of smoke hazard, noise and dust emissions.</p>	<p>potential impacts from noise, air quality and bushfire hazards. Reference is made to the relevant sections of Brisbane City Plan for guidance on addressing these requirements.</p> <p>A development application for the site will need to be accompanied by a bushfire management plan outlining what measures will be employed to minimise the risk to people and property from bushfire. The Bushfire management plan will also set out safe evacuation routes in case of an emergency.</p>	
66	<p>The proposed development scheme should include greater detail on the streetscape hierarchy within the PDA. Including reference to particular street typologies established under Brisbane City Plan.</p>	<p>The proposed development scheme calls up council's:</p> <ul style="list-style-type: none"> <li>• Infrastructure planning scheme policy</li> <li>• Road hierarchy overlay code</li> <li>• Infrastructure planning scheme policy</li> <li>• Traffic, access parking and servicing code and planning scheme policy.</li> </ul> <p>These matters will be dealt with in more detail at the development application stage.</p>	No
67	<p>Query what is meant by Market. No detail or contextual information is provided.</p>	<p>The development scheme references the definitions in Brisbane City Plan.</p> <p>Market means the use of premises on a regular basis for—</p> <p>(a) selling goods to the public mainly from temporary structures, including, for example, stalls, booths or trestle tables; or</p> <p>(b) providing entertainment, if the use is ancillary to the use in paragraph (a).</p>	No
<b>2.6.3 Precinct 3A – Neighbourhood</b>			
68	<p>Building heights of single dwellings are not in keeping with the local area which is largely comprised of one storey buildings.</p>	<p>Land adjoining the PDA is zoned Low-density residential or character residential, with a building height limit of two storeys.</p> <p>The building height for sub-precinct 3A has been amended to be two storeys and 9.5m which is consistent with Brisbane City Plan.</p>	Yes
69	<p>There is insufficient guidance regarding the future residential built form except for average lot sizes and maximum building heights.</p> <p>There are also insufficient parameters in place regarding the size and scale of uses which could potentially be established in the sub-precinct.</p>	<p>Section 2.6.3.3 has been expanded to state:</p> <p><i>Development in Sub-precinct 3a will deliver... Dwelling houses of form consistent with a low density residential area*.</i></p> <p><small>*for guidance refer to the relevant Brisbane City Plan dwelling house code.</small></p>	Yes
70	<p>Clarification is sought regarding the reasons why a dual occupancy is not included as a preferred land use in sub-precinct 3a.</p>	<p>The list of preferred land uses does not vary the levels of assessment set out in the scheme, it serves only to inform the intent for development within the precinct. Dual occupancy is not specifically listed as it is not intended that it be the predominant land use.</p>	No
<b>2.6.3 Precinct 3B – Lifestyle and care</b>			
71	<p>Six storeys is too high and is not in keeping with the surrounding environment. Suggested height limits varied two - four storeys.</p>	<p>Precinct 3b is located at the lowest portion of the site and is the most removed from existing residential areas, avoiding impacts of height on existing residents. The buildings within precinct 3b must not exceed 6 storeys and are to be stepped down to the</p>	No



#	Summary of Issue	Response	Amendment required?
	Building heights for these uses should be limited to four storeys, not six storeys as outlined in the proposed development scheme, to be consistent with Council's proposed planning scheme amendment for retirement and aged care facilities.	road frontage to reduce the visual impact and provide a more sensitive transition in to street level.  The building heights frame the Open space and recreation precinct and enable passive surveillance of the public realm.  These maximum building height provisions are considered appropriate and are consistent with others approved elsewhere in Brisbane (e.g. Yeronga, Coorparoo).	
72	Query regarding the need for additional aged care and retirement facilities given the provision of existing facilities within one to three kilometres of the site.	EDQ has conducted market testing and has determined that there is demand for land for seniors living.	No
73	Suggest combined aged care, child care and community centre for use by Oxley -Chelmer history groups for meetings and archiving relevant documents with regular sorting and storage.	Detailed design and management will be considered at development application stage.	No
74	More detailed design standards should be included for the proposed uses in this sub-precinct to deal with: <ul style="list-style-type: none"> <li>passive surveillance of precinct 2</li> <li>mitigating overlooking of precinct 3</li> <li>linking to public transport and surrounds</li> <li>transitions in building heights to street frontages</li> <li>other built form parameters such as building envelope, separation, landscape and appearance requirements.</li> </ul>	The proposed development scheme establishes built form outcomes in the PDA wide criteria which are further refined through the precinct intents.  These outcomes remain high order to enable a site response design outcome. A development application for the site will need to demonstrate how the outcomes of the scheme will be achieved including those specified in the submission.  For guidance, an additional footnote has been in scheme referencing the Brisbane City Plan retirement and residential care facilities code.	Yes
<b>2.7.1 Overlays – Hillside remediation overlay</b>			
<b>(see above items 2,3 and 4 above)</b>			
<b>2.7.2 Overlays – Significant vegetation interface overlay</b>			
75	It is not evident how the outcomes of the proposed development scheme, which seek to protect the ecological values, can be achieved through allowing residential lots of 800 m <sup>2</sup> . Larger lot sizes, along with provisions for environmental offsets, should be provided on land subject to the Significant vegetation interface overlay.	The development scheme requires development within the significant vegetation interface overlay to be supported by an ecological investigation report detailing the impact of development on biodiversity values and management strategies. The scheme requires that significant trees be identified in a tree survey and located outside of building envelopes which may necessitate larger lots.	No
<b>2.8 Levels of assessment</b>			
76	Table 1 should be amended to include a material change of use for a park as exempt development.  As a result of the above change, section 2.6.1.2 Preferred land	Table 1 has been amended to include 'park' as assessable development as it is considered work for a park needs to be assessable to ensure protection of the vegetation.	Yes

#	Summary of Issue	Response	Amendment required?
	uses for Precinct 1 – Environmental protection should be amended to include a park as a preferred land use.		
77	For Precincts 2 and 3, the levels of assessment tables allow for almost any land use on the site as permissible uses, with the exception of industrial uses. It is noted that the PDS mentions preferred uses for the precincts and sub-precincts.	Categorising development as assessable development – permissible development does not imply that an approval will be granted. Development must demonstrate that it is consistent with the land use plan. Development that is inconsistent with the land use plan cannot be approved.	No
78	Concern that the BCC landslide hazard overlay does not contain the full extent of the hazard area. Operational work for filling and excavation should be assessable development throughout the site.	Site specific investigations which are currently being undertaken will 'ground-truth' council's overlay. These investigations will inform future development applications and will be submitted with the relevant development applications.	No
<b>3.0 Infrastructure plan</b>			
79	Request that charges recouped within the Oxley PDA be spent within and surrounding the development area.	Infrastructure planning is currently being undertaken which will identify trunk infrastructure and forecast trunk infrastructure charges revenue.  Infrastructure charges spending will be based on the findings of these investigations.	No
80	Request for detailed traffic impact assessments including: <ul style="list-style-type: none"> <li>road upgrade plans for the intersection of Seventeen Mile Rocks Road</li> <li>management plans for restricted access to lower order side streets.</li> </ul>	The development application for the site will be supported by a detailed traffic report. Identifying roads as PDA associated development recognises that roadworks are likely to be required to address impacts. This allows for a unified assessment of development and any necessary upgrade works.	No
81	Table 5 lists infrastructure upgrades separated by an 'or' statement. 'Or' should be replaced by 'and'.	Table 5 requires infrastructure upgrades to service the PDA and lists specific items that may be required. The list of items is not exhaustive, some or all of the listed items as well as other unspecified upgrades may be required to service the development within the PDA.	No
82	Concern regarding the necessity of bioretention/detention and its impact on available land within the open space and recreation precinct.	The scope of stormwater management works will be resolved through detailed investigations prepared in support of a development application for the site. The detail of the development application will be made publicly available once the application has been submitted.	No
83	Concern regarding current and planned stormwater works within and external to the site including: <ul style="list-style-type: none"> <li>what works will be required to connect to the existing council stormwater system</li> <li>why is a 25m open</li> </ul>	The proposed development for the site will be required to demonstrate the appropriate management of stormwater within the site. This will include analysis of existing overland flow and flood storage and identify the necessary upgrade works to accommodate the proposed development of the site.  The details of the report will be made publicly available at the time a development application is	No

#	Summary of Issue	Response	Amendment required?
	<p>stormwater channel required.</p> <ul style="list-style-type: none"> <li>bio retention basins will reduce land for open space and sporting purposes.</li> <li>heavy rain currently causes flooding at the intersection of Cliveden Avenue and Blackheath Road.</li> </ul>	lodged.	
84	Concern regarding impact of development on nearby sewer pumping station.	A development application for the site will be supported by engineering services report which will assess the impact of the development on the sewer network including the pump station.	No
85	Any future infrastructure should be designed to meet council's desired standards of service and design standards found in the Infrastructure design planning scheme policy in City Plan. The planning and design for infrastructure should be considered as part of the wider network and not be provided just to service the PDA.	<p>Section 3.6 of the development scheme states that infrastructure will be delivered in accordance with the standards, of MEDQ, BCC, State government or relevant infrastructure providers at the time a PDA development application or Infrastructure Master Plan is approved.</p> <p>EDQ will liaise directly with Council during the assessment of an application involving contributed assets to ensure proper consideration is given to the requirements of the ultimate asset owner.</p>	No
86	EDQ should also support the encouragement of development for retirement and residential care facilities by adopting an infrastructure charges incentive similar to that which Council currently offers.	Section 3.4 of the development scheme states that infrastructure charges will be based on the applicable BCC infrastructure charges in force at the time the development application is approved. This includes any incentives provided by Council.	No
87	A community facility should be included within table 5.	A community facility has been included in table 5.	Yes
<b>4.0 implementation strategy</b>			
88	Ensure wildlife spotters and catchers are employed during construction.	Section 4.2 objective 1 of the implementation strategy identifies the need for a qualified catcher to be employed to relocate identified fauna.	No
89	"Minimise impact on the community" this should be amended to "Minimise negative impact/s on the community". This development should fundamentally seek to make a positive impact on the community	<p>The word 'adverse' has been inserted so Objective 3 reads "...<i>minimise adverse impact on the local community</i>..."</p> <p>Objective 2 seeks to maximise community benefit and safety which adequately covers making a positive impact on the community.</p>	Yes
90	Dot points that include the term "Investigate" should be reworded "Investigate and develop strategies for implementation" or similar to show more commitment to the ideologies than investigation alone.	The role of the implementation strategy is to implement the suite of actions required to support delivery of economic development and development for community purposes.	No
91	Recommend the implementation strategy also include specific mention of working with the Community Panel. The submitter believed the relationship with EDQ and the Community Panel to date has been effective and exceptionally beneficial to drive	The community panel was instrumental in the formulation of the policy direction of the development scheme. With the finalisation of the development scheme it will be the role of the broader community to monitor the implementation of the development scheme. Further community consultation for specific development applications will be required for	No

#	Summary of Issue	Response	Amendment required?
	positive outcomes for the Oxley PDA.	applications that are publicly notified.	

## 5. List of all amendments to the development scheme amendment

Amendment #	Relevant section	Nature of/reason for amendment
<b>General</b>		
1.	Throughout the document	To reflect changes made by the <i>Economic Development and Other Legislation Amendment Act 2019</i> , PDA self-assessable development and PDA exempt development have been changed to PDA accepted development.
2.	Throughout the document	Formatting and editorial amendments
<b>2. Land use plan</b>		
<b>2.2 Development Assessment</b>		
3.	2.2.7	To ensure the community is informed of the proposed development and associated technical reports and has an opportunity to make a submission section 2.2.7 has been amended to require notification for the first development application for a reconfiguration of a lot to define the precinct boundaries.
<b>2.4 Structural elements</b>		
4.	Map 2	Map 2 structural elements plan has been amended to include a north arrow and to improve legibility.
<b>2.5 PDA-wide criteria</b>		
5.	2.1	Section 2.1 <i>Components of the land use plan</i> has been amended to clarify the hierarchical relationship between the vision, PDA-wide criteria, precinct provisions and overlays. The amendment is made to improve the legibility of the document and improve the line of sight between the policy outcomes established under the subsequent sections of the land use plan.
6.	2.5.1	In response to the concern with the hillside remediation area being held in private ownership, the PDA-wide criteria have been expanded in section 2.5.2 as outlined above; these criteria apply regardless of ownership. An additional criterion has been included in 2.5.1 as follows: <i>“ensuring additional planting is restricted to local native plant species”</i> . It should be noted EDQ’s <i>Economic Development (Vegetation Management) By-law 2013</i> applies to Brisbane PDAs which deals with hazardous and pest vegetation. In addition, the significant vegetation definition calls up the <i>Biosecurity Act 2014</i> with regard to invasive plants.
7.	2.5.2	In response to the concerns regarding the management of landslip across the site, including in areas not included in the Hillside remediation overlay, the PDA wide criteria section 2.5.2 has been amended to include further requirements. The amendment is as follows: <ul style="list-style-type: none"> <li>development and infrastructure in an area at risk of landslip is located, designed and constructed not to adversely impact the safety of people, public infrastructure, private property and the environment.</li> <li>development is not at risk from and does not pose a risk to an adjacent or nearby site from landslip.</li> <li>development ensures that vegetation clearing, stormwater management and filling or excavation on a site does not increase the risk of landslip.</li> </ul> <p>The footnote requires technical advice from a geotechnical engineer regarding the extent of the landslip risk area and the appropriate design response.</p>

Amendment #	Relevant section	Nature of/reason for amendment
8.	2.5.4	In response to concern about the secondary access from Cliveden Avenue section 2.5.4 has been expanded to clarify the secondary access to the site is required to ensure safe evacuation in the event of a bush fire and to ensure efficient access to the open space and recreation precinct by emergency vehicles. The footnote has been expanded to recognise this access point will be maintained for the existing Yuingi C&K Childcare until the relocated childcare centre is operational.
<b>2.6 Precinct provisions</b>		
9.	2.6.1.1	The precinct intent for the Environmental protection precinct has been amended to include a reference to the Fort Bushland Reserve for wildlife connections external to the site.
10.	2.6.2.1	Concerns were raised about the community garden, particularly in light of Brisbane City Council's emerging policy position and the Oxley site has not been evaluated. It was also considered that the community garden may detract from residential amenity of new and existing residents. Community garden has been deleted from this section and also the implementation strategy.
11.	2.6.3.2	Concerns were raised regarding managing home based business. Brisbane City Council's home based business code is now called up in the development scheme.
12.	2.6.3.3	There was concern that there was insufficient guidance regarding residential built form and that development should be consistent with the surrounding low density residential area. Section 2.6.3.3 has been expanded to include  <i>Development in Sub-precinct 3a will deliver.... Dwelling houses of a form consistent with a low density residential area</i>  <i>for guidance refer to the relevant dwelling house code of the Brisbane City Plan.</i>  In addition, the building height for sub-precinct 3A has been amended to be 2 storeys and 9.5m which is consistent with City Plan.
13.	2.6.3.5	The precinct intent for sub-precinct 3b under Section 2.6.3.5 has been amended to acknowledge that diverse housing should include accessible accommodation for all ages and not just seniors. A footnote has been added referencing <i>the PDA Guideline no.2 Accessible housing</i>
14.	2.6.3.5	The development scheme as notified required that the building heights for sub-precinct 3b be stepped back from the road frontage, to avoid confusion the precinct intent has been amended to require building heights be <i>stepped down</i> to the road frontage.  This ensures that a lower scale interface be provided to the public realm.
15.	2.6.3.5	A concern was noted regarding the lack of guidance on built from provisions for Sub-precinct 3d - <i>lifestyle and care</i> . To alleviate this concern an additional footnote has been included as follows:  <i>For guidance, refer to the Retirement and Residential care facility code of the Brisbane City Plan.</i>
<b>2.7 Overlays</b>		
16.	2.7.1	Reconfiguring a lot is required to define areas where development cannot occur. As reconfiguring a lot is development, section 2.7.1 has been amended to clarify that this area includes areas which 'may' be unsuitable for development allowing particular development (i.e. reconfiguring a lot) to occur which does not impact on stability of the slope. Amendments to section 2.5.2 above provide additional criteria to ensure the integrity of this area is maintained.
<b>2.8 Categories of development</b>		

Amendment #	Relevant section	Nature of/reason for amendment
17.	Table 1	Submitter suggested Table 1 should be amended to include a material change of use for a park as exempt development. Table 1 has been amended to include 'park' as assessable development as it is considered work for a park needs to be assessable to ensure protection of the vegetation.
18.	Table 1	Table 1 has been amended for clarity with respect to the <i>Planning Regulation 2017</i> .
<b>3. Infrastructure Plan</b>		
19.	3.4	Section 3.4 has been amended to include reference to the QUU infrastructure charges instruments where applicable. The amendment acknowledges the charges levied by QUU for the supply of water and sewer infrastructure.
20.	Table 5	Submitter suggested Table 5 include a community facility. This amendment has been made.
<b>4. Implementation Strategy</b>		
21.	Objective 1	To ensure landowners adjacent the hillside remediation area are informed about stormwater management practices section 4.2.1 has been amended.
22.	Objective 2	Reference to community garden has been removed.
23.	Objective 3	Submitter suggested this objective be amended to "Minimise negative impact/s on the community". The word 'adverse' has been added so Objective 3 reads "... <i>minimise adverse impact on the local community...</i> "
<b>5. Schedules</b>		
24.	Schedule 1	Section 4.1 of the accepted development table under schedule 1 has been amended to better reflect the accepted development requirements for filling and excavation under Brisbane City Plan. This provision does not apply to land within the Potential and actual acid sulfate soil overlay code, Waterway corridors overlay code or Flood overlay code.
25.	Schedule 1	Schedule 1 has been amended to include development prescribed in Schedule 7 of the <i>Planning Regulation 2017</i> . The amendment ensures development categorised as accepted under the Planning Regulation is also accepted under the development scheme.
26.	Schedule 2	The definition of <i>Park</i> has been removed from schedule 2. The development scheme will default to the definition of <i>Park</i> under the Brisbane City Plan. The amendment provides consistency with the remainder of the Brisbane local government area.