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Steve Johnston
Chief Executive Officer
Bundaberg Regional Council
PO Box 3130
Bundaberg QLD 4670

BY POST / EMAIL – development@bundaberg.qld.gov.au

Dear Mr Johnston,

RE: Amendment No. 5 and Amendment No. 6

The Urban Development Institute of Australia Queensland Bundaberg Branch (the Institute) writes to Bundaberg Regional Council (council) on Proposed Amendments 5 and 6 (proposed amendments) which seeks changes to the Bundaberg Regional Council Planning Scheme.

The Institute is supportive, in principle, of amendments that are aimed at ongoing improvements to the operation and efficiency of the planning scheme, and other changes to guide future growth and development in the Bundaberg Region. The Institute highlights the development industry in the Bundaberg region is a major contributor to the local economy; with the industry providing 6.3% of the region's employment and \$550 million to the Gross Regional Product (GRP)¹.

The Bundaberg Regional Council Planning Scheme is a critical document used as a framework for guiding and facilitating development and ensuring the region is able to meet its aspiration for economic growth. To achieve this, a balanced and concerted effort is required in ensuring the urban development is able to occur to boost the local economy, improve employment, and provide the necessary housing to the community.

The Institute is supportive of the following aspects of the amendments:

- Greater recognition of the Bundaberg State Development Area, and in turn, its important function and within the Strategic Framework
- Improved provisions around pedestrian connectivity, built form, and design within the Centre zones for enhanced outcomes for the denser parts of the Bundaberg region.

The Institute has reviewed and analysed the proposed amendments against the industry capacity to deliver affordable housing and the ability to provide a wide range of housing choices for the community in the Bundaberg region and has the following concerns:

- Heritage and neighbourhood character overlay now triggering code assessment for Material Change of Use (MCU) and Building Work (BW) application where adjoining local heritage (sub-overlay)
- Lack of assessment provisions or benchmarks around development proposal adjoining local heritage items/sites

- Onerous and potentially overbearing requirements for secondary dwellings within Low density residential zones
- Use of language within the Overall Outcomes of the Low density residential zone which appear to weaken support for Dual occupancy land uses.

The Institute has provided greater detail on the items raised below.

Heritage and Neighbourhood Character Overlay – Adjoining Properties

The Institute expresses concern over the proposed amendments to seek changes to the assessment triggers to the Heritage and neighbourhood character overlay and the lack of direction to comply, where adjoining to local heritage sites.

The proposed amendment seeks to specifically amend Part 5 – Tables of Assessment – 5.9 Categories of development and assessment – Overlays and the category of assessment for Heritage and neighbourhood character overlay – if involving or adjoining a heritage place within table 5.9.1. The changes relate to an escalation of the category of assessment requiring code assessment for application under the proposed amendments. This will cause a number of dwellings, in the form of MCU and BW, to unnecessarily become code assessable and will increase the cost of delivering and the final purchase of these dwellings. In addition, the Institute is concerned there is lack of guidance or specificity in the overlay code for allotments that adjoin heritage sites.

The Institute has concerns that the increase in the level of assessment and lack of a specific criteria around development adjoining heritage will create additional cost and time in delivering dwellings and will be passed onto the purchaser. Firstly, potential homebuyers will be required to undergo a formal application to council where, in addition, professional consultants will need to be engaged to lodge the application. In addition to this, given the context of the change, a consultant or designer will need to be engaged to ensure the dwelling house does not offend the existing character and heritage; costing the potential homebuyer an additional \$7,000-\$9,000 (in total with council fees) as part of the overall costs.

Secondly, the proposed amendments have failed to incorporate any changes to include specific provisions to guide development to comply with the overlay code. The Institute believes council could provide greater certainty and direction, where the level of assessment remains as code assessable, on how future development can comply. More tangible benchmarks that aim to give the industry greater foresight are required to avoid any misinterpretation or confusion over the application of the policy.

The Institute recommends that council refrain from escalating MCU and BW applications for dwelling houses to code assessment in residential areas (where adjoining to local heritage) and draft tangible benchmarks for future development to comply with the overlay code for Accepted Development, Subject to Requirements.

Secondary Dwellings

The Institute has concern over the proposed amendments and its additional requirements for the secondary dwellings. We understand that council is seeking to ensure secondary dwellings remain subordinate to the primary dwelling house and has, in response, included additional requirements to enforce this.

The Institute's view is that the changes are onerous and will reduce the ability to provide secondary dwellings. The Institute considers that secondary dwellings are to function ancillary and in support of the primary dwelling house and will meet this function without any changes being required.

The Institute does not support the inclusion of Acceptable Outcome (AO) 9 requiring a minimum lot size, where within the Low density residential zone, the reduction of the maximum gross floor area (GFA) from 80sqm to 60sqm, and for secondary dwellings to be interconnected to the main dwelling via door, breezeway or hallway.

These additional provisions will create unnecessary applications for siting relaxation for secondary dwellings and will incur additional costs and time. Secondary dwellings play an important role in enabling families to accommodate changing demographics and offer residents the ability to age in place. Bundaberg has a growing aging population where choice of housing will be fundamental in housing the elderly. It is critical secondary dwellings remain accessible and easy to deliver options to cater for changing households that are, importantly affordable.

We note that there is a potential conflict with AO9.4 (a)(i) within the Dwelling house code as part of the proposed amendments with the fire separation requirements of the Building Codes Australia as it defines a secondary dwelling to be a separate dwelling.

The Institute recommends that council refrain from including amendments to prescribe minimum lot sizes and reducing the maximum GFA for secondary dwellings in order to reduce costs and enable greater housing choice.

Other matters

The Institute has also identified some potential errors including:

- A Non-resident workforce accommodation is categorised as accepted subject to requirements, however there are no requirements listed
- AO9.4(a)(i) conflicts with (a)(ii) as the requirement for interconnection will result in a breezeway being required where the secondary dwelling is free-standing, which may be up to 20m in length. This provision should include 'Or' after (a)(i)
- Incorrect referencing of the *Plumbing and Drainage Act 2018* through the proposed amendments.

Other matters

Thank you for the opportunity to provide comments on the proposed amendments. In summary, the Institute recommends that council:

- Refrain from escalating the level of assessment for dwelling houses (MCU or BW) where adjoining to local heritage and draft tangible benchmarks be provided for future development to comply with the overlay code for Accepted Development, Subject to Requirements
- Refrain from including onerous requirements to prescribe minimum lot sizes and reducing the maximum GFA for secondary dwellings in order to reduce the cost of delivering secondary dwellings and enable greater housing choice.

The Institute looks forward to council's response that address the matters raised in this submission. If you have any questions regarding this submission, please contact Policy Executive, Robert Tily (rtily@udiaqld.com.au) on (07) 3229 1589.

Yours sincerely,

Urban Development Institute of Australia Queensland



Kirsty Chessher-Brown
Chief Executive Officer