



Information sheet

Sunshine Coast Planning Scheme 2014

Proposed Planning Scheme Amendment – Special Entertainment Precincts (SEPs)

Council is proposing an amendment to the *Sunshine Coast Planning Scheme 2014*, referred to as the *Proposed Sunshine Coast Planning Scheme 2014 (Qualified State Interest Amendment) and Planning Scheme Policy (Amendment) – Special Entertainment Precincts*.

This information sheet provides a general overview of the purpose and effect of the proposed amendment. Please refer to the end of this information sheet about how to obtain further details about the proposed amendment.

What is a planning scheme?

In Queensland, a planning scheme is an important regulatory document that guides growth, land use and development in a local government area. On 14 April 2014, council adopted the *Sunshine Coast Planning Scheme 2014*. The *Sunshine Coast Planning Scheme 2014* integrates and balances the economic, social and environmental needs and aspirations of the community to provide an orderly approach to land use and change.



What is a planning scheme amendment?

The *Sunshine Coast Planning Scheme 2014* is a living document and is amended from time to time in response to feedback, changing community needs and legislative changes to ensure it is up to date and operating effectively. The process for amending a planning scheme is prescribed in the *Planning Act 2016* and the *Minister's Guidelines and Rules*.

Further information on the planning scheme amendment process can be found on the Department of State Development, Manufacturing, Infrastructure and Planning website:

<https://planning.dsdmip.qld.gov.au/planning/better-planning/local-planning>.

What amendments are proposed?

Council has prepared a proposed amendment to the *Sunshine Coast Planning Scheme 2014* relating to the designation of special entertainment precincts (SEPs) and the way entertainment uses are regulated more generally.

Council has prepared the proposed planning scheme amendment to assist and support the live music industry on the Sunshine Coast and promote a vibrant day time and night time economy in major centres and tourist areas whilst also protecting residential amenity.

To help achieve this outcome, the proposed planning scheme amendment includes the following elements:

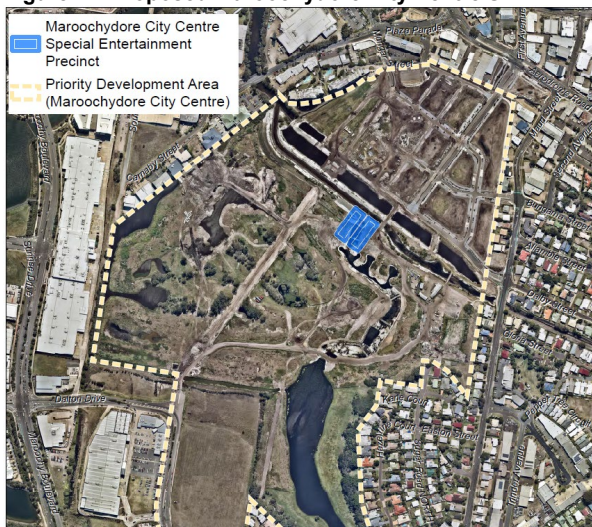
- (a) designate part of Nambour's activity centre and part of the Maroochydore City Centre Priority Development Area (PDA) as SEPs under the *Local Government Act 2009* (refer to **Figure 1** and **Figure 2** overleaf);
- (b) delete existing hospitality areas in Maroochydore, Nambour, Caloundra and Mooloolaba activity centres to reduce potential overlap and confusion;
- (c) amend the tables of assessment, development codes, zone codes and relevant local plan provisions for the Principal centre zone, Major centre zone, and parts of the District centre zone, Local centre zone and Tourist accommodation zone to:
 - i. provide for "lower impact" entertainment uses (e.g. restaurants and small bars) across centre zones and key tourist areas to encourage vibrancy and support the night time economy in higher order centres;
 - ii. concentrate "higher impact" entertainment uses (e.g. night clubs and dedicated live music venues) in the designated SEPs and the Ocean Street Food and Music Sub-Precinct;
 - iii. provide for micro-breweries in the Principal centre zone and Major centre zone;
 - iv. amend the assessment benchmarks relating to noise criteria for venues, surrounding residential development and key mixed use areas;

- (d) amend the Planning scheme policy for the Nuisance code to include advice for achieving the outcomes specified in the Nuisance code, including requirements for noise impact assessments; and
- (e) undertake all necessary consequential amendments to other parts of the planning scheme to give effect to the above changes.

Figure 1 – Proposed Nambour SEP



Figure 2 – Proposed Maroochydore City Centre SEP



What are special entertainment precincts (SEPs)?

The designation of special entertainment precincts (SEPs) is a tool available to councils under the *Local Government Act 2009* to assist and support the live music industry in a given area.

The designation of SEPs make entertainment venues within these precincts exempt from the amplified music noise requirements of State liquor licencing laws and, instead, transfers responsibility to council for the regulation of amplified music noise emissions from venues in these precincts.

Proposed regulatory framework

In order to establish SEPs, council must first amend its planning scheme to identify these precincts and include associated provisions to regulate land uses within and surrounding the precincts.

The proposed planning scheme amendment includes noise attenuation requirements for new or expanded entertainment venues within a SEP. The proposed amendment also includes requirements for any proposed residential uses within a SEP or in associated buffer areas to ensure that these uses are located, designed and constructed to mitigate noise emissions from existing or future entertainment uses.

To help manage potential future land use conflicts in mixed use areas more generally and promote vibrant dining focussed entertainment areas (outside of SEPs), the amendment also proposes noise criteria and glazing requirements for new residential development in key mixed use areas.

As part of the proposed amendment, a draft guideline has been prepared which provides technical guidance about acoustic requirements for façade design for residential development in SEPs and mixed use areas. The draft guideline can be accessed via Council's website –

<https://haveyoursay.sunshinecoast.qld.gov.au/open-consultation>

In addition to a planning scheme amendment, the designation of SEPs will also require associated (but separate) amendments to Council's local laws and the Maroochydore City Centre Priority Development Area (PDA) Development Scheme as outlined below.

Proposed local law amendments

In order to regulate amplified music noise from venues within SEPs on an ongoing basis, it will be necessary to amend council's local laws.

These local law amendments are likely to include the following elements:

- creation of a new prescribed activity under Local Law 1 (Administration) being the emission of amplified music from licensed premises within a SEP;
- the requirement to obtain an amplified music noise permit under council's local laws for venues located within a SEP;
- requirements to ensure that emissions of noise from venues within a SEP does not exceed amplified music noise limits (to be specified by council); and
- enforcement provisions where operating without a permit or in breach of conditions of a permit.

Should council decide to proceed with the proposed planning scheme amendment for SEPs, associated amendments to council's local laws will be separately progressed and subject to further public consultation.

Maroochydore City Centre PDA Development Scheme

Development in the Maroochydore City Centre PDA is regulated by the Maroochydore City Centre PDA Development Scheme under the jurisdiction of Economic Development Queensland (EDQ).

Although the planning scheme does not otherwise apply to development in the Maroochydore City Centre PDA, the *Local Government Act 2009* still requires SEPs to be identified in the planning scheme. All other requirements, including buffers and any relevant noise criteria for development within the proposed PDA SEP, will need to be given effect via separate amendments to the PDA development scheme.

Indicative drafting changes to the PDA development scheme have been prepared for informal consultation purposes as part of the currently proposed planning scheme amendment. These indicative drafting changes to the Maroochydore City Centre PDA Development Scheme can be accessed via Council's website -

<https://haveyoursay.sunshinecoast.qld.gov.au/open-consultation>

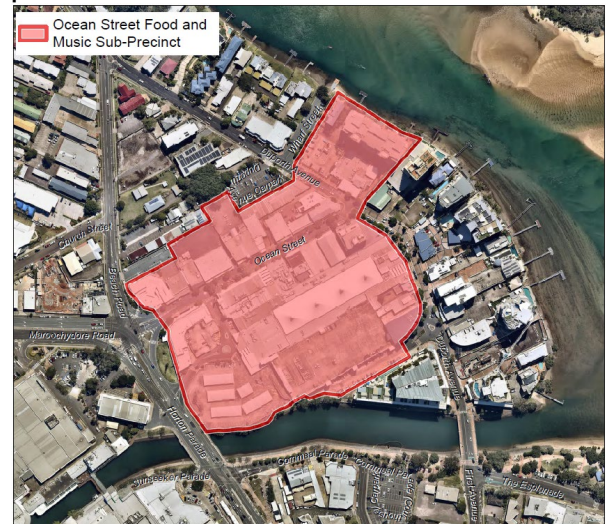
Existing hospitality areas

The planning scheme currently identifies "hospitality areas" at Caloundra, Mooloolaba, Maroochydore and Nambour to signal that these areas are intended to accommodate a range of entertainment uses and that a higher level of noise and night time activity may be experienced in these locations.

The existing hospitality areas at Mooloolaba, Caloundra and Ocean Street, Maroochydore, were investigated but not considered appropriate for designation as SEPs, primarily due to their crucial role in providing for existing and future tourist/residential accommodation. Under the proposed amendment, to avoid confusion and overlap with the proposed SEPs, the existing hospitality areas are proposed to be removed and replaced with more general zone/local plan provisions that are intended to have a similar effect. Venues in these areas will also remain subject to the noise conditions of their liquor licence.

While not proposed to be designated as a SEP, the Ocean Street area in Maroochydore is proposed to be identified as the Ocean Street Food and Music Sub-precinct (refer to **Figure 3** below). Under the proposed amendment, nightclub entertainment facilities (including live music venues) are encouraged to locate in SEPs and the Ocean Street Food and Music Sub-precinct.

Figure 3 – Proposed Ocean Street Food and Music Sub-precinct



Need further information?

Further details on the proposed amendment (full documentation) can be:

- viewed and/or purchased at Council's Development Information Counter in Maroochydore or at Council's administration buildings in Nambour and Caloundra; or
- downloaded from Council's website - <https://haveyoursay.sunshinecoast.qld.gov.au/open-consultation>

The website also provides details on how to make a written submission about the proposed amendment. Submissions must be received by Council no later than **4:30pm on Friday, 9 November 2018**.

For further information, please contact Council's Strategic Planning Branch on (07) 5420 8953 or email planningscheme@sunshinecoast.qld.gov.au.