



## Proposed Sunshine Coast Planning Scheme Amendment

### Consultation Report: Site Specific and Editorial Matters

**Total no. of submissions received: 107**

**No. of submissions in support or support subject to changes: 79**

**No. of submissions in objection: 28**

**10 submissions raised matters outside the scope of the proposed amendment**

#### **Key issues raised in submissions:**

- Development potential and economic benefits
- Increasing building heights
- Traffic and infrastructure capacity
- Impact on local environment and biodiversity values
- Local character and amenity
- Development on land subject to flooding and downstream impacts
- Property maintenance requirements
- Use of Council's resources
- Alignment with the *South East Queensland Regional Plan 2017*
- Approval of superseded development applications
- Planning scheme amendment process

## INTRODUCTION

The proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) - Site Specific and Editorial Matters* (proposed amendment) was placed on formal public consultation from 21 November to 19 December 2022.

The proposed amendment is seeking to amend the zoning, maximum building height, local plan precincts/elements and/or planning scheme provisions for specific sites located in the Buderim, Maroochydore/Kuluin, Mooloolaba/Alexandra Headland, Peregrine South, Sippy Downs, Woombye and Yandina Local plan areas, and to address minor editorial matters.

**Part A** of this Report provides:

- an overview of the proposed amendment and the public consultation process undertaken; and
- an overview of the submissions and key issues raised during the public consultation process.

**Part B** of this Report considers the key issues/concerns raised in submissions and outlines Council's response to these issues.

**Part C** of this Report considers submissions requesting changes to the zoning/building height for specific sites and other matters that were not part of the proposed amendment.

## PART A

### OVERVIEW OF PROPOSED AMENDMENT

The proposed amendment has been prepared to:

- respond to a Council resolution, Council property related matter or specific community concerns/representations; or
- reflect an existing development approval or an existing/desired future land use.

The amendment also seeks to address other editorial matters to improve the clarity and efficiency of the planning scheme.

### OVERVIEW OF PUBLIC CONSULTATION PROCESS

The proposed amendment was placed on public consultation from 21 November to 19 December 2022. As part of the public consultation program, Council undertook the following community engagement activities:

- a public notice was published in the Courier Mail (including online in the Courier Mail and the Sunshine Coast Daily) on 19 November 2022;

- a written notice (letters and emails) was sent prior to the public consultation period to all affected and adjoining landowners (including an information sheet applicable to the relevant site) with details of the proposed amendment;
- the release of an industry newsflash;
- a copy of the public notice and amendment documentation was made available at all Council offices and on Council's website;
- a dedicated webpage was placed on Council's 'Have Your Say' website, which included a copy of the public notice, amendment documentation, information sheets and an online submission form;
- briefings were made to key stakeholder groups, including Organisation Sunshine Coast Association of Residents (OSCAR) and affiliates (e.g. Development Watch, Sunshine Coast Environment Council (SCEC)), Yandina and District Community Association (YADCA)); and
- telephone, email and counter enquiries.

## OVERVIEW OF SUBMISSIONS

During the public consultation period, Council received a total of 107 submissions, which consisted of:

- 79 submissions (74%) offering provisional or full support for the proposed amendment; and
- 28 submissions (26%) either partially or completely objecting to the proposed amendment.

The vast majority of submissions received were in relation to the proposed Maroochydore amendment (35%).

The following Table lists the number of submissions received for the sites located within the following areas and relating to other matters:

Site	No. of submissions
Buderim	35
Maroochydore/Kuluin	37
Mooloolaba/Alexandra Headland	10
Peregian South	7
Woombye*	0
Yandina	8
Other matters	10
<b>Total</b>	<b>107</b>

*\*Note: No submissions were directly made in relation to the proposed amendment at Woombye, however general comments were made in a submission selected as "Other", relating to the superseded development approvals at Woombye.*

Of the 107 submissions received, 10 submissions raised matters that are outside the scope of the proposed amendment, including:

- site specific zoning and height amendment requests;
- request to reflect an existing development approval; and
- request for a dedicated bikeway from Caloundra to Noosa.

These matters have been referred for consideration as part of the New Planning Scheme Project or to the relevant area within Council for consideration.

## PART B

### CONSIDERATION OF KEY ISSUES AND RESPONSES

This section of the report considers the key issues/concerns raised in submissions that relate to the whole of the amendment package and for each of the proposed amendment sites (i.e. Buderim, Maroochydore, Mooloolaba, Peregian Springs, Woombye and Yandina) and also outlines Council's response to these issues/concerns.

### WHOLE OF AMENDMENT PACKAGE

During the public consultation period, Council received issues/concerns in a number of submissions generally relating to the whole of the proposed amendment package (i.e. did not relate to a specific site).

The matters raised generally related to:

- planning scheme amendment process;
- public consultation timing;
- superseded planning scheme approvals;
- inadequate supporting material; and
- affordable housing.

The key/issues concerns raised in relation to these matters are summarised and discussed below.

### ***Planning scheme amendment process***

***Key issue/concern 1:*** *Submitter questioned why previous planning scheme amendment packages had not reflected or incorporated the proposed sites.*

***Key issue/concern 2:*** *Submitter asked why these sites were not being amended in the new planning scheme, particularly as representations were made by individual landowners and there is no urgent planning need. There is opposition against ad hoc amendments at the request of landholders.*

***Key issue/concern 3:*** *Submitter suggests ad hoc amendments could set the precedent to do more amendments to the Planning Scheme undermining community expectations, strategic planning directions, creates a lack of transparency and corruption.*

#### **Response**

It is Council's usual practice to consider requests for planning scheme amendments in the order in which they are received and to bundle up these requests (where supported by Council) as part of a consolidated amendment package which contain matters of a similar nature.

The last site specific and operational matters amendment package commenced in the *Sunshine Coast Planning Scheme 2014* (the Planning Scheme) on 11 November 2019.

Since then, planning scheme amendment packages have related to a number of other matters including, but not limited to, Special Entertainment Precincts, Historic Cultural Heritage, Planning Scheme Policy for Development Works and additional *South East Queensland (SEQ) Regional Plan 2017* sites.

Proposed amendments to specific sites were not included in these amendment packages.

Representations or requests to amend the Planning Scheme for the proposed sites in this amendment package were generally received after October 2018. Therefore, these sites were unable to be included in the last site specific and operational matters amendment package.

It is anticipated the new Sunshine Coast Planning Scheme will be completed by the end of 2024 (subject to the timing of a State Interest Review and approval by the Planning Minister). While it is noted that Council is preparing a new planning scheme, it is important for Council to ensure the current planning scheme remains current and fit for purpose. It is standard practice for councils to amend their planning scheme from time to time to respond to emerging issues and other factors.

Maintaining the currency of a planning scheme is important because there is a legal principle by which a planning scheme can be said to 'be overtaken by events' and no longer relevant to the assessment of a particular type of development. Planning schemes that are not kept up to date run the risk of being prematurely 'overtaken by events'. Planning scheme amendments are the way that Council maintains the currency of the planning scheme and ensures that it continues to operate in the best way possible in the public interest.

Each planning scheme amendment is required to be undertaken in accordance with the *Planning Act 2016* (the Act) and the *Ministers Guidelines and Rules 2020*. Any major planning scheme amendment process is subject to council consideration, state interest review and public consultation, in accordance with the *Ministers Guidelines and Rules*.

**Recommendation: No change to the proposed amendment in response to these issues.**

## **Public consultation timing**

**Key issue/concern 1:** *Submitter asked why public consultation occurred before Christmas as this was not considered to be good community engagement. They also questioned how this could be avoided in the future.*

### Response

The Act and the *Minister's Guidelines and Rules* do not exclude public notification occurring during certain times of the year.

However, Schedule 2 of the Act states a business day does not include a day between 26 December of a year and 1 January of the next year. The public notification period for this amendment package was undertaken prior to this period commencing. Council also accepted submissions received after the consultation period had closed.

The concerns and suggestions raised in relation to public consultation are noted and will be considered for future planning scheme amendments.

**Recommendation:** No change to the proposed amendment in response to this issue.

## **Superseded planning scheme approvals**

**Key issue/concern 1:** *Submitter has concerns about the cut-off dates or approval lapse times for superseded planning scheme approvals e.g. Appleberry Place and Honeysuckle Place, Yandina and Woombye.*

**Key issue/concern 2:** *Submitter questioned how development approvals not undertaken within a defined period are reviewed. Concern was raised how the assessment of older approvals may not have considered climate change, current community expectations or the SEQ Regional Plan 2017.*

### Response

Section 29 of the Act allows a person to make a superseded planning scheme request within a year after the planning scheme becomes a superseded planning scheme. The applicant then has 6 months to submit a superseded planning scheme application to the assessment manager (e.g. Council) once the request has been approved.

The *Sunshine Coast Planning Scheme 2014* commenced on 2 May 2014. A superseded planning scheme request (SPS14/0046) was properly made to Council over former Lot 343 on CG223 (Appleberry Place and Honeysuckle Place, Yandina), in accordance with the Act. A decision notice was issued to the applicant approving this superseded planning scheme request. The superseded planning scheme application (REC15/0127) was submitted and made in accordance with the Act by the applicant on 14 July 2015.

In April 2019, Council issued a Development Permit to Reconfigure a Lot (1 Lot into 23 Lots and Reserve) over Lot 343 on CG223 (parent lot) (REC15/0127) in accordance with the Act and the *Development Assessment Rules*.

Section 85 of the Act provides the currency period for each type of development approval (e.g. a reconfiguring a lot has 4 years after the approval starts to have effect), including for superseded planning scheme approvals.

The lots have been created and the related plan sealing and titling was registered with the Titles Office on 25 October 2021. All of the timeframes associated with the application and approval were in accordance with the Act.

A person may also make an application (an extension application) to the assessment manager (e.g. Council) to extend a currency period of a development approval before the approval lapses under section 86 of the Act. The Act does not prescribe a maximum timeframe to extend approval dates. Rather, section 87 of the Act determines what the assessment manager may consider when assessing an extension application.

Generally if the approved development was significantly in conflict with the Planning Scheme (e.g. change in zone or significantly increased risk levels through amendments to overlays such as flood levels), Council may not support an extension application. Consideration is also given to whether the development had been substantially started.

An extension application was not required at the Appleberry Place and Honeysuckle Place development. The Act does not provide for development approvals (where an extension application is not required) to be amended to reflect future events such as climate change and/or community expectations.

It is also noted the subject land in this proposed amendment package at Yandina and Woombye is included in the Urban Footprint land use category under the *ShapingSEQ South East Queensland Regional Plan 2017* (SEQ Regional Plan). Therefore, all 4 approvals (REC15/0127, REC15/0158, REC15/0185 and REC15/0209) are consistent with the requirements of the SEQ Regional Plan.

**Recommendation: No change to the proposed amendment in response to these issues.**

#### ***Inadequate supporting material***

**Key issue/concern 1:** *Submitter stated the maps and supporting information provided were inadequate or not easily understood e.g. legibility and title/lot descriptions.*

**Key issue/concern 2:** *Submitter requested further information relating to the decision of development applications e.g. why Council refused the development application over 6 Lavarack Crescent, Buderim.*

#### **Response**

Each proposed amendment package is supported with an Explanatory Memorandum, Amendment Instrument, and associated information sheets. These documents are used to inform the Planning Minister, Councillors, affected landowners, adjoining landowners and the general public about the proposed amendment.

The Explanatory Memorandum explains the purpose and background information of the proposed amendment. It includes a number of features relating to the proposed amendment package, including but not limited to details of the land affected by the proposed amendment (including the property description, address, and an aerial map of each subject land), a summary of the site's development history and justification for the change. It also includes relevant figures and/or maps e.g. current zoning maps, overlay maps, approved development plans.

The Amendment Instrument presents where in the Planning Scheme the proposed amendments are located and lists any consequential changes of the proposed amendment. *Appendix A Amendment Schedule*

*(text)* provides a track changed version of the text in the Planning Scheme proposed to be amended. *Appendix B Amendment Schedule (mapping)* provides an extract of the existing and proposed amendments to mapping within the Planning Scheme.

Information sheets are created to support and summarise the Explanatory Memorandum and Amendment Instrument. They include, where relevant, current and proposed zone mapping. They also provide details to inform how more information can be found and how to make a submission.

All of this information is available on Council's Have Your Say webpage during and following the public consultation period. Council Officers are also available to answer any questions and provide further information where requested.

In regard to 6 Lavarack Crescent, Buderim, the Explanatory Memorandum and Information Sheet each stated Council had refused a development application for an extension to an existing service station (MCU18/2016) and provided details of Council's resolution to further consider the zoning of the subject land as part of the next planning scheme or major planning scheme review. Further details pertaining to development applications are publicly available on Council's website through Development i.

The concerns and suggestions raised in relation to the supporting material provided with the proposed amendment are noted and will be considered for future planning scheme amendments.

**Recommendation: No change to the proposed amendment in response to these issues.**

## BUDERIM

The proposed amendment relates to specific sites located at:

- Power Road and Starling Street (Goshawk Boulevard extension), Buderim (refer to **Figure 1(a)** and **Figure 1(b)** below);
- Jorl Court and Roms Court, Buderim (refer to **Figure 1(c)** and **Figure 1(d)** below);
- Lavarack Crescent, Buderim (refer to **Figure 1(e)** below);
- 33 Quorn Close, Buderim (refer to **Figure 1(f)** below); and
- 22 Dixon Road, Buderim (refer to **Figure 1(g)** below).

### Summary of submissions received

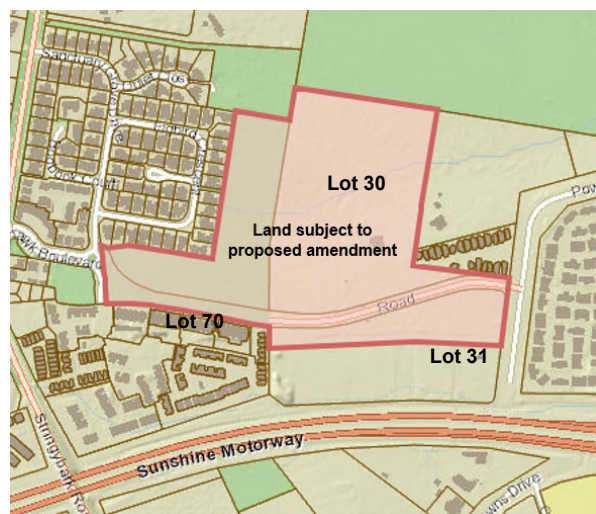
Council received a total of 35 submissions in relation to the abovementioned specific sites located in Buderim:

Site	No. of submissions
Power Road and Starling Street (Goshawk Boulevard extension)	5
Jorl Court and Roms Court*	15
Lavarack Crescent*	11
33 Quorn Close*	2
22 Dixon Road*	2
<b>Total</b>	<b>35</b>

### Power Road and Starling Street (Goshawk Boulevard extension), Buderim

The proposed amendment relates to land affected by the planned Goshawk Boulevard extension, which is intended to connect Stringybark Road to Power Road to improve access surrounding the Sippy Downs Town Centre. The subject land is located on the northern edge of the Sippy Downs local plan area in close proximity to the Sunshine Motorway (refer to Figure 1(a)). It is also directly adjacent to the Buderim local plan area.

Figure 1(a): Location of subject land



The proposed amendment seeks to remove the zoning over that part of Lot 70 on SP310631, Lot 30 and Lot 31 on SP293861 that is within the road reserve. It is also proposed to include all of Lot 30 on SP293861 in the Limited development (landscape residential) zone, all of Lot 31 on SP293861 in the Medium density residential zone and amend the Urban Growth Management Boundary to reflect the new extent of urban development on the Sippy Downs Local Plan Area Zone Map. A total of 5 submissions were received in relation to the Power Road and Starling Street proposed amendment. Of these submissions, 4 submissions outlined full or provisional support for the proposed amendment and 1 submission objected to the proposed amendment.

The matters raised in submissions are categorised into the following key issues:

Buderim – Power Road and Stirling Street	
Key issue	No. of submissions
Environmental values	3
Proposed zoning	2
Local amenity	2

(Note: several submissions raised multiple issues, so the number of submissions identified in this table does not equal the total number of submissions received).



## **Consideration of Key Issues/Concerns and Responses**

### **Environmental values**

**Key issue/concern 1:** *Submitter supports the proposed amendment but suggests an increase in the environmental and drainage buffers to Lot 30 SP293861 to provide greater protection, functionality and enhancement of the Springs Conservation Area.*

#### Response

Lot 70 on SP310631 (The Springs Conservation Area) located adjacent to Lot 30 is currently included in the Environmental management and conservation zone. Lot 30 on SP293861 is currently included in the Limited development (landscape residential) zone and the Medium density residential zone and is subject to a number of planning scheme overlays, including the Biodiversity, waterways and wetlands overlay and Flood hazard overlay. The small area of land zoned as Medium density residential is currently located along the southern boundary adjacent to the road reserve.

The amendment proposes to include the whole of Lot 30 in the Limited development (landscape residential) zone. The purpose of the Limited development (landscape residential) zone is to ensure land which is located in an urban setting but determined to be unsuitable for urban purposes due to one or more constraints (e.g. ecologically important areas, flooding) is appropriately developed having regard to the constraints of the site.

It is considered that the concerns raised by submitters in relation to the protection of The Springs Conservation Area are appropriately addressed by the existing provisions within the Planning Scheme (including the Biodiversity, waterways and wetlands overlay code).

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 2:** *Submitter questions whether there are any environmental offsets required for the project.*

#### Response

A biodiversity offset may be required for the unavoidable clearance of native vegetation, in

accordance with the *Environmental Offsets Act 2014* and/or Council policies. If biodiversity offsets are required, it will be determined during future detailed design and applied at the time of construction of the future link road. Biodiversity offsets are calculated at this time to minimise the risk of requirements changing.

Table SC3.2.2 (Transport network – Roads Schedule of works) in Schedule 3 (Local government infrastructure plan mapping and tables) of the Planning Scheme estimates timing of the trunk infrastructure to be 2021 – 2026. It is envisaged that detailed planning for this project will commence in around 2026.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 3:** *Submitter has requested the Biodiversity, waterways and wetlands overlay mapping be updated. The mapping will be affected/dissected by the road corridor (Goshawk Boulevard). Constraints will be physically removed or significantly reduced rendering them redundant.*

#### Response

The concerns raised relating to the accuracy of the Biodiversity, waterways and wetlands overlay mapping are noted. The overlay mapping currently reflects the constraints on the ground but will be reviewed as part of the preparation of the New Sunshine Coast Planning Scheme, to reflect the designated road reserve.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 4:** *Submitter objects to the proposal as the property is bounded by a conservation and koala habitat area. Koala habitat is a key strategic focus for the Queensland government.*

#### Response

It is noted that part of the area subject to the proposed amendment is mapped as a core koala habitat area under State mapping (namely Lot 70 and Lot 30, and only a small portion mapped within the dedicated road reserve).

The amendment proposes to keep the existing zoning over Lot 70 and Lot 30, which seeks to provide for the ongoing protection of the mapped core koala habitat on these lots.

The zoning of the dedicated road reserve is proposed to be removed as part of this amendment. It is standard practice to remove the zoning of land within road reserves.

The dedicated road reserve is the planned Goshawk Boulevard connection. Planning for the Goshawk Boulevard connection has been in place since the late 1990's. Council purchased the land in 2003 and adopted the Goshawk Boulevard extension at its Ordinary Meeting of September 2007 (refer to Figure 1(b)). The proposed amendment reflects the finalisation of the Goshawk Boulevard connection project.

**Figure 1(b): Endorsed Road Alignment**



As discussed above, a biodiversity offset may be required for the removal of native vegetation, in accordance with the *Environmental Offsets Act 2014* and/or Council policies.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### **Proposed zoning**

**Key issue/concern 1:** Submitter requests for the southern part of Lot 30 on SP293861 to be zoned *Emerging community* for the following reasons:

- to allow for higher density residential development;
- assist the housing crisis;
- it adjoins other medium density residential development;

- would respond to growth in the surrounding area; and
- it is supported by trunk infrastructure.

#### **Response**

The proposed amendment seeks to include the whole of Lot 30 on SP293861 in the Limited development (landscape residential) zone. The subject site is substantially affected by critical constraints (such as significant vegetation (including core koala habitat), wetlands, waterways, bushfire and flooding) and has a low level of suitability for urban development.

Therefore, it is considered appropriate for Lot 30 to remain within the Limited Development (landscape residential) zone.

Council is currently in the process of preparing a New Planning Scheme for the Sunshine Coast, which includes a review of the Limited development (landscape residential) zone.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### **Local amenity**

**Key issue/concern 1:** Submitters objects to the proposed amendment as it will:

- lead to reduced privacy with greater foot and road traffic and a lack of boundary fencing;
- increase noise pollution;
- create safety issues for children in the area; and
- diminish the value of their property.

#### **Response**

The submitter's comments relating to local amenity and safety are acknowledged.

Council has undertaken a number of measures to inform the local residents of the Goshawk Boulevard extension since the commencement of the project.

Around 2003-2004 Council purchased part of a large undeveloped lot opposite Jorl Court for road and environmental purposes. The remainder of this lot was reconfigured and developed to create a residential subdivision. Property notations were placed on the Figbird Crescent properties that backed onto



the Council purchased property to inform future purchasers of these lots of the future road requirement.

In 2007 Council completed a planning study on the connection of Stringybark Road to Power Road, which considered social, economic and environmental issues. Community consultation was undertaken on a number of potential alignment options with feedback used by Council to identify the preferred alignment for the transport corridor.

Council endorsed the proposed alignment of the Goshawk Boulevard extension at its Ordinary Meeting of September 2007 (refer to Figure 1(b) above). This alignment was selected to reduce the severance and fragmentation impact of the future road on the environmental area. It also provides local connectivity, local distribution and a greater connected area for environmental purposes and core habitat area.

In 2019, letters were sent to property owners on Figbird Crescent adjacent to the Goshawk Boulevard extension. The letter provided a project update and informed the landowners a notation, as provided below, would be placed on the rates and planning search information for their property to inform future residents of this future road link:

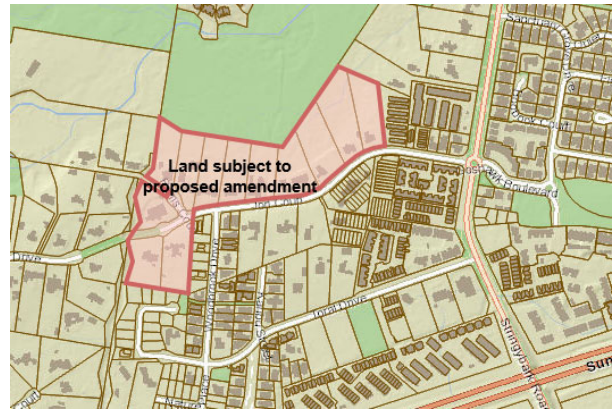
*“Future roads advice – under Council’s current planning there is a proposal to provide a road connection from the eastern end of Goshawk Bvd to Power Road. This proposed road has been in Council’s planning stages since the late 1990’s and the approved alignment of the extension endorsed by Council in 2007. Construction of this road link is currently planned for around 2025 to 2028, pending budget approval. For further information on this road link please contact Council’s Customer Service.”*

**Recommendation: No change to the proposed amendment in response to this issue.**

### **Jorl Court and Roms Court, Buderim**

Jorl Court and Roms Court area is located approximately 3km south of Buderim and approximately 1km north of the Sippy Downs town centre, the University of the Sunshine Coast, Siena Catholic College and Chancellor State College. The area is bounded to the east by Stringybark Road, a local convenience centre and a mix of low to medium density housing (refer to Figure 1(c)).

**Figure 1(c): Location of subject land**



It is proposed to amend the zoning of the existing Rural residential zoned lots along the northern side of Jorl Court to include:

- the front portion of the lots in the Low density residential zone; and
- the rear portion of the lots, constrained by flooding, native vegetation, wetlands (including matters of state environmental significance) and drainage easements, in the Environmental management and conservation zone.

The properties at the end and south-west of Jorl Court (Lots 24, 25 and 26 on RP843835) are also proposed to be included in the Low density residential zone.

It is also proposed to amend the Urban Growth Management Boundary and Rural Residential Growth Management Boundary to reflect the proposed zoning changes. Specific provisions are also proposed to be included in the Sippy Downs local plan code in relation to road widening, indented parking and drainage.

### **Summary of submissions received**

A total of 15 submissions were received in relation to Jorl Court and Roms Court, Buderim.

Of these submissions, 5 outlined provisional or full support for the proposed amendment and 10

objected to the proposed amendment. One of the submissions in objection was made on behalf of 12 property owners (8 being affected landowners). Some of these landowners also separately made submissions.

The key issues raised in objection generally related to the maintenance requirements of land with the amended Environmental, management and conservation zone, an increase in on-street parking, diminishing of the environmental values in the area and impact on the character and amenity of the local area.

The matters raised in submissions are categorised into the following key issues:

Buderim – Jorl Court and Roms Court	
Key issue	No. of submissions
Maintenance of property	7
Traffic and parking	6
Environmental values	6
Type of residential development	5
Character and amenity of local area	4
Infrastructure	3
Limited development potential	3
Value of property	3
Flooding	2
Alignment with SEQ Regional Plan	1
Financial compensation	1

(Note: several submissions raised multiple issues, so the number of submissions identified in this table does not equal the total number of submissions received).

### **Consideration of Key Issues/Concerns and Responses**

#### **Support for the proposed amendment**

**Key issue/concern 1:** *Submitters have expressed support for the proposed amendment as it will:*

- *provide additional off-street parking and new development requirements;*
- *preserve the environmental values of the land;*
- *address housing pressure in the area;*
- *be consistent with the zoning and built form in the local area;*
- *reflect developments already planned, approved and constructed in the area; and*

- *be in line with the SEQ Regional Plan 2017 (Urban Footprint).*

The support outlined for the proposed amendment, is acknowledged and noted.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### **Maintenance of property**

**Key issue/concern 1:** *Several submitters expressed concern about the proposed amendment as they were unclear of the potential maintenance requirements with the proposed Environmental management and conservation zone.*

#### **Response**

Zoning allocation in a planning scheme regulates land use. Amending the zone of a site will not change or impact the maintenance requirements for that land.

The land on the northern side of Jorl Court is subject to easements for drainage purposes. The proposed amendment will not change the existing maintenance requirements as specified in the drainage easement documents that currently apply to the affected sites (e.g. maintaining and repairing relevant works, clear and keep clear the servient tenement by any means or method including cutting and removal of timber, trees and undergrowth from the servient tenement and burning off such timber, trees and undergrowth).

Council does not have a policy relating to the maintenance requirements of private properties, except for requirements in managing invasive weeds and plants (which is not exclusive to a particular zone).

**Recommendation: No change to the proposed amendment in response to this issue.**

## **Traffic and Parking**

**Key issue/concern 1:** *Submitters believe the proposed amendment will exacerbate the issue of on-street parking as:*

- *vehicles are regularly parked illegally in Jorl Court across yellow lines making manoeuvring through the street difficult;*
- *delivery trucks and ambulances have been unable to access homes;*
- *Council parking officer never seen;*
- *yet to see impacts of 2 major developments under construction on southern side of Jorl Court; and*
- *accidents and near misses have occurred.*

**Key issue/concern 2:** *Submitters have expressed concern over increased traffic as a result of more intense residential development and the impacts on the local character of the area. Jorl Court is already congested and challenging to drive through.*

**Key issue/concern 3:** *Submitter has requested widening of the road to allow for extra traffic and access.*

### Response

Any future development of land proposed to be included in the Low density residential zone in Jorl Court will need to be undertaken in accordance with the relevant provisions in the planning scheme, including overlay codes, local plan codes and development codes.

Existing provisions in the Transport and parking code include requirements for development to provide for on-site car parking space for the demand anticipated by the development (refer to Performance Outcome PO3 and Acceptable Outcome AO3.1).

The proposed amendment includes additional provisions in the Sippy Downs local plan code relating to development in the Low density residential zone in Toral Drive and Jorl Court, providing for transport infrastructure, including road reserve widening where necessary, on-street parking and active transport, to safely and efficiently service development and improve traffic flow, consistent with the operation of a Neighbourhood collector street (refer to proposed Performance Outcome PO18 and Acceptable Outcome AO18).

Both the existing and proposed provisions within the Planning Scheme are considered sufficient to ensure that the transport infrastructure (such as roads, parking and service areas) required to service future development is provided in a safe and efficient manner and prevents unacceptable off-site impacts.

**Recommendation: No change to the proposed amendment in response to these issues.**

**Key issue/concern 4:** *Submitter believes the attempts to address the transport and parking issues through proposed Performance Outcome PO18 and Acceptable Outcome AO18 would only occur when development progressed on the north side of Jorl Court. The requirements are not applicable to the Medium density residential zone on the southern side of Jorl Court. As such they are unlikely to have any practical effect to these issues.*

### Response

It is acknowledged that the proposed Performance Outcome PO18 and Acceptable Outcome AO18 in the Sippy Downs local plan code are only applicable to the assessment of development in the Low density residential zone in Toral Drive and Jorl Court.

Development in the Medium density residential zone in Toral Drive and Jorl Court is assessable against the existing Performance Outcomes PO17 and PO18 of the Sippy Downs local plan code as well as against the relevant provisions of the planning scheme, including overlay codes and development codes.

The majority of the sites zoned Medium density residential in Jorl Court and Toral Drive have already been substantially developed, with the exception of 32 Jorl Court and 10-12 Toral Drive, Buderim.

As such, provisions have only been proposed to improve any off-site impacts for the development of lots proposed to be included in the Low density residential zone.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 5:** *Submitter suggests due diligence has not been undertaken e.g. traffic study not completed.*

#### Response

Internal consultation was undertaken with officers from Council's Infrastructure Planning and Policy Branch prior to the proposed amendment package being presented to Council at the Ordinary Meeting on 28 April 2022. These discussions led to the drafting of proposed Performance Outcome PO18 and Acceptable Outcome AO18.

Future development (reconfiguration) of the land proposed to be included in the Low density residential zone will also be subject to development assessment against the relevant provisions within the Planning Scheme, whereby a traffic impact assessment may be required to be submitted to Council as part of any forthcoming development application.

**Recommendation: No change to the proposed amendment in response to this issue.**

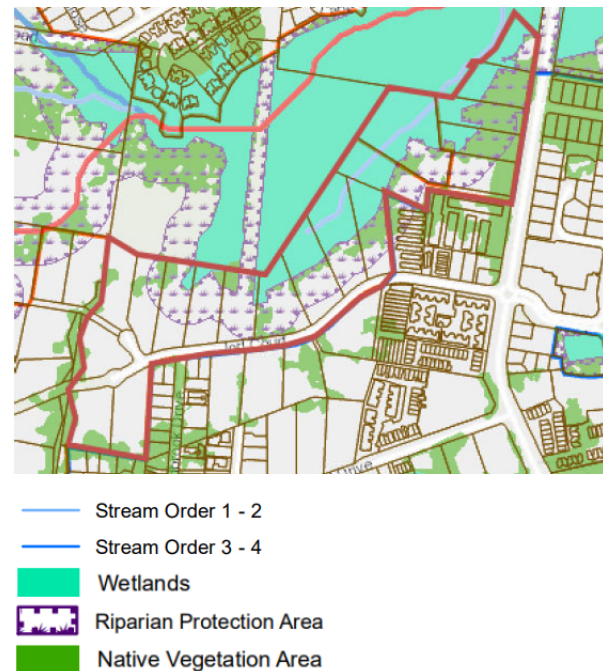
#### **Environmental values**

**Key issue/concern 1:** *Submitters are concerned that proposing land as Environmental management and conservation zone will not protect fauna, flora and ecological processes due to edge effects, urban runoff, noise, light, movement, domestic pets, road kill, invasive weeds. Fauna and flora that has already being compromised from existing development.*

#### Response

The rear portion of the lots on the northern side of Jorl Court, which are proposed to be included in the Environmental management and conservation zone, are currently mapped as being subject to flooding and containing native vegetation and wetland areas (including matters of state environmental significance) (refer to Figure 1(d) below) and drainage easements.

**Figure 1(d): Extract from the Sunshine Coast Planning Scheme 2014 – Biodiversity, waterways and wetlands overlay**



Having regard to the above, it is considered appropriate that this land be included in the Environmental management and conservation zone, to provide for the ongoing protection of this land for environmental and drainage purposes.

Future development of the land proposed to be included in the Low density residential zone will be subject to assessment against the relevant provisions of the planning scheme, including overlay codes (e.g. Flood hazard overlay code and Biodiversity, waterways and wetlands overlay code), local plan codes and development codes (Stormwater management code).

Existing provisions within the Biodiversity, waterways and wetlands overlay code are considered sufficient to ensure that ecologically important areas are protected, rehabilitated and enhanced, and ecological connectivity is improved.

In addition, the provisions within the Stormwater management code provide for sustainable stormwater management infrastructure to protect water quality, environmental values and public health.

Council is also undertaking an *Invasive Weeds Project (2021-2026)*, funded through the

Environment Levy, to manage invasive weeds in the region.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### ***Type of residential development***

**Key issue/concern 1:** *Submitter requests development be restricted to dwelling houses and dual occupancies only.*

#### **Response**

The Low density residential zone is to provide for predominantly low density, low rise residential activities. Whilst primarily intended to accommodate dwelling houses, dual occupancies may also be accommodated in appropriate locations along with other residential activities and small scale services and facilities that cater for local residents.

Both dwelling houses and dual occupancies are accepted development in the Low density residential zone of the Planning Scheme, subject to requirements. Other forms of residential development (e.g. retirement facility or multiple dwellings) are subject to either a code or impact assessable development application, which requires assessment against the provisions in the Planning Scheme.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 2:** *Submitter requests for property (15-17 Jorl Court) to be zoned Medium density residential for the following reasons:*

- *proposed zoning is insufficient to achieve planning intents within the wider draft plan;*
- *inconsistent with zoning and existing built form in adjoining sites and immediate area;*
- *site is positioned to support high natural amenity and adjoining environmental reserve;*
- *environmental layers protect the land;*
- *will negatively impact wider community;*
- *site is the largest uniform site in the immediate area;*
- *future high growth area and there is existing successful high density development;*

- *proximity to retail, transport and infrastructure;*
- *will support affordable housing in the area;*
- *underutilised large allotments capable of density development; and*
- *educational and economic needs are supported within the wider area.*

#### **Response**

Whilst it is acknowledged the land adjacent to and opposite 15-17 Jorl Court is zoned Medium density residential, any further extension of the Medium density residential zone in this location is not supported, having regard to the capacity of the existing local road network, stormwater and drainage, water and sewerage infrastructure.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### ***Character and amenity of local area***

**Key issue/concern 1:** *Submitters believe the proposed zoning change will have a negative impact on the scenic values of the area.*

**Key issue/concern 2:** *The area consists of large allotments utilised for Rural residential development. Submitters believe an increase in the intensity of urban development will impact the Rural residential character and amenity of Jorl Court.*

**Key issue/concern 3:** *Submitters have expressed concern regarding the impacts to their mortgages, property values and the resale ability of their properties.*

#### **Response**

The proposed Environmental management and conservation zone is intended to provide for the ongoing protection of this land for environmental and drainage purposes. As such, the scenic values of the local area will likely be protected through the preservation of environmental values.

Due to the size of the lots in the Jorl Court/Toral Drive area (generally 5,000m<sup>2</sup> and 6,000m<sup>2</sup>) and proximity to the Sippy Downs town centre, the University of the Sunshine Coast and schools, the Jorl Court/Toral Drive area has already undergone significant transformation towards



higher density residential development, particularly along Toral Drive and the southern side of Jorl Court, which is progressively changing the character of this area.

Having regard to this, it is considered that the remaining few rural residential lots be included partly in the Low density residential zone and partly in the Environmental management and conservation zone to complement the adjacent Low and Medium density residential zones and to appropriately reflect the environmental, flooding and drainage constraints.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 4:** *Submitter objects to the proposed amendment based on the potential of increased crime and safety of residents.*

#### Response

Crime prevention is a matter administered by the Queensland Police Service.

Any future development of the land will be subject to development assessment. This will include assessment of the road network to ensure the safety of vehicles and local residents against the current provisions in the Transport and parking code and proposed provisions in the Sippy Downs local plan code.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### **Infrastructure**

**Key issue/concern 1:** *Submitter objects to the proposal as existing on-site septic systems are not appropriate for Low density residential development. Road widening should allow for sewerage lines.*

**Key issue/concern 2:** *Submitter believes Jorl Court is unable to be connected to reticulated sewage.*

#### Response

Should the proposed amendment be adopted by Council, any new development proposed over the Low density residential zoned land will be required to connect to the reticulated water and sewerage networks.

Unitywater were consulted in relation to the existing and future water and sewerage services available to the subject land at Jorl Court, Buderim. In relation to water infrastructure, the subject area is wholly within Unitywater's connection area and is reasonably serviced by existing infrastructure and is supplied via Tanawha Reservoir.

To connect the sites to the reticulated sewerage network, a number of upgrades will be required. Unitywater advised that the required work is to be carried out by the developer at the developer's cost.

**Recommendation: No change to the proposed amendment in response to these issues.**

#### **Limited development potential**

**Key issue/concern 1:** *Submitters have stated an unintended consequence of the proposed Environmental management and conservation zone is it will likely diminish the capacity to develop in the proposed Low density residential zone. It generally excludes most forms of development, including residential development and its infrastructure requirements. Bushfire risk will also nullify the development potential.*

**Key issue/concern 2:** *Submitter believes they and other landowners will unlikely benefit from the proposed amendment given the substantial development already on the lots. Likely layout will only be 1 or 2 lots deep.*

#### Response

It is acknowledged that the subject land is affected by a number of existing overlays, including the Biodiversity, waterways and wetlands overlay (native vegetation, waterways and wetlands), Bushfire hazard overlay (Medium Bushfire hazard and Medium Bushfire hazard buffer) and the Flood hazard overlay. Drainage easements over the northern portion of the land also prohibits any activities or works that may obstruct or impede the flow of stormwater runoff unless prior approval from Council is provided.

The proposed Environmental management and conservation zone on the northern portion of the lots (following the boundary of the drainage easement) will provide for the ongoing protection of this land for environmental and drainage purposes. It will neither increase or decrease the



development potential over that portion of the land than currently exists.

Amending the zoning of the remaining portion of the lots to the Low density residential zone will provide the opportunity for landowners to potentially subdivide their land to create additional low density residential lots in accordance with the planning scheme, which may require the amalgamation and redevelopment of lots to achieve this outcome. Alternatively, a landowner can continue to use their land for a single dwelling.

**Recommendation: No change to the proposed amendment in response to these issues.**

**Key issue/concern 3:** *Submitter questions the minimum development site on the south side of Jorl Court being 10,000m<sup>2</sup> vs 5,000m<sup>2</sup> for the north side of Jorl Court. Further, where green space and playgrounds will be located.*

#### Response

The planning scheme currently includes the requirement for development in the Low density residential zone in Toral Drive and Jorl Court to provide for the amalgamation of lots to create a minimum development site of 1 hectare and to avoid the creation of rear lots and cul-de-sacs (refer to Acceptable Outcome AO16 of the Sippy Downs Local plan code). This provision was originally included in the planning scheme to help prevent a continuation of the development pattern established by existing approvals in the area (i.e. rows of long, narrow subdivisions comprising multiple rear lots) and was determined having regard to lot size and layout of the undeveloped lots on the southern side of Jorl Court and in Toral Drive.

Whilst it is acknowledged that the undeveloped lots on the south side of Jorl Court (i.e. 34-38 and 40-44 Jorl Court, which are proposed to be included in the Low density residential zone) are approximately the same size as those proposed to be amended on the northern side of Jorl Court, these lots are not as constrained for development by mapped overlays or drainage easements. Given the developable area on the northern side is approximately 50% (excluding any land in the Environmental management and conservation zone) to those on the southern

side, the amalgamation area was reduced by 50% from 1 hectare (10,000m<sup>2</sup>) to 5,000m<sup>2</sup>.

Therefore, the proposed amendment includes a specific Acceptable Outcome (AO16.2) in the Sippy Downs local plan code for development in the Low density residential zone north of Jorl Court to provide for the amalgamation of lots to create a minimum development site (excluding any land in the Environmental management and conservation zone) of 5,000m<sup>2</sup> and to avoid the creation of rear lots and cul-de-sacs.

Future development in the existing and proposed Low density residential zone will be subject to assessment against the planning scheme, and if approved to reconfigure the land to create additional residential lots, will be conditioned to pay infrastructure charges. A portion of the infrastructure charges will be made towards the provision of public parks and land for community facilities in accordance with Council's *Infrastructure Charges Resolution 2022*.

**Recommendation: No change to the proposed amendment in response to this issue.**

### ***Flooding***

**Key issue/concern 1:** *Submitter recommends reviewing the drainage boundaries as the proposed amendment does not fully reflect the drainage easements.*

#### Response

The proposed Environmental management and conservation zone follows the boundary of the drainage easements over the rear of the subject sites on the north side of Jorl Court. Drainage boundaries may be reviewed during the assessment of future development applications.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 2:** *Submitters state flooding and drainage issues are not sufficient reasons to apply the Environmental management and conservation zone.*

#### Response

In determining the most appropriate zone for this land, consideration was given to the zoning of

the adjoining land, any covenants/easements and overlay constraints mapped over the land.

The land is adjacent to the Rainforest Sanctuary Environment Reserve, which is currently included in the Environmental management and conservation zone, is subject to a number of overlays (most notably the Biodiversity, waterways and wetlands overlay and the Flood hazard overlay) and drainage easements.

The purpose of the Environmental management and conservation zone is to provide for the protection and rehabilitation of land to maintain biodiversity, ecological processes, coastal processes, water quality, landscape character, scenic amenity, cultural heritage significance and community well-being.

It is therefore, considered appropriate to include the rear portion of these lots in the Environmental management and conservation zone, to provide for the ongoing protection of this land for environmental and drainage purposes.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 3:** *Submitter believes development on the north side of Jorl Court is not possible due to the rainforest sanctuary and flood zone. Increased density in the local area constitutes more severe flooding.*

**Key issue/concern 4:** *Submitter expressed concern relating to outdated stormwater drains leading to increasing levels of flooding of our property. This is also leading to flood insurance being increased.*

**Key issue/concern 5:** *Submitter suggests due diligence not been undertaken by Council e.g. flood study not completed.*

#### Response

It is acknowledged that the rear portion of the lots on the northern side of Jorl Court are currently mapped as being subject to the Flood hazard overlay. It is therefore proposed that this part of the land is included in the Environmental management and conservation zone and not intended to be developed for residential purposes.

In addition, any future development on that part of the land included in the Low density residential zone will be subject to assessment against the relevant provisions of the Planning Scheme, including overlay codes, local plan codes and development codes.

Existing provisions within the Planning Scheme (including the Flood hazard overlay code and the Stormwater management code) are considered sufficient to ensure there is no worsening impact to people or property as a result of more intense urban development.

Council has undertaken investigations into the local drainage issues for Toral Drive and Jorl Court, which have provided guidance on the management of drainage for existing and future development in the area. The outcomes of these investigations have also informed the drafting of specific provisions proposed to be included in the Sippy Downs Local plan code for development within the Low density residential area in Toral Drive and Jorl Court (refer to proposed Performance Outcome PO17 and Acceptable Outcome AO17.1 and AO17.2).

**Recommendation: No change to the proposed amendment in response to these issues.**

#### **Financial compensation**

**Key issue/concern 1:** *Submitter objects to the proposal and states there will be no financial compensation despite the anxiety and stress involved with the proposed amendment.*

#### Response

The submitter's concerns are acknowledged.

The proposed amendment does not affect existing lawful uses and landowners can continue to operate these existing lawful uses indefinitely.

Any future development of this land will be the responsibility of the relevant landowner to further consider if they seek to develop their land for low density residential purposes.

**Recommendation: No change to the proposed amendment in response to this issue.**

## 6 Lavarack Crescent and 3 and 31 Lavarack Lane, Buderim

Lavarack Crescent and Lavarack Lane are located off King Street within the centre of the Buderim local plan area.

Figure 1(e): Location of subject land



It is proposed to amend the zoning of 6 Lavarack Crescent and 3 and 31 Lavarack Lane, from the Low density residential zone (Precinct LDR1 (Protected Housing Area)) to the Local centre zone.

It is also proposed to amend the Local Centre zone code (i.e. Table 6.2.8.2.1 (Consistent uses and potentially consistent uses in the Local centre zone)) to include a service station as a potentially consistent use, if replacing an existing service station and located in a local (not full service) activity centre.

### Summary of submissions received

Council received a total of 11 submissions in relation to Lavarack Crescent/Lavarack Lane. Of these submissions, 10 outlined full or provisional support for the proposed amendment and 1 objected to the proposal (with no reasons provided).

The matters raised in submissions are categorised into the following key issues:

Buderim – 6 Lavarack Crescent and 3 and 31 Lavarack Lane	
Key issue	No. of submissions
Community need	5
Efficient utilisation of site	3
Economic growth	3
Compatible with local character	2
Increased traffic congestion	1
Environmentally Relevant Activity status	1

(Note: several submissions raised multiple issues, so the number of submissions identified in this table does not equal the total number of submissions received).

### Consideration of Key Issues/Concerns and Responses

#### Support for amendment

**Key issue/concern 1:** Submitters expressed overall support for the proposed amendment at 6 Lavarack Crescent and 3 and 31 Lavarack Lane, Buderim for the following reasons:

- improved utilisation of the site;
- redevelopment of the site will better serve the community;
- the current service station is in need of redevelopment;
- economic growth;
- is compatible with the local character;
- more attractive street appeal;
- there is community support for the proposed amendment; and
- provides a safe area for locals.

#### Response

The support outlined for the proposed amendment, is acknowledged and noted.

**Recommendation:** No change to the proposed amendment in response to this issue.

#### Increased traffic congestion

**Key issue/concern 1:** Submitter believes there will be increased traffic congestion on King Street as a result of the proposed amendment at

*Lavarack Crescent/ Lavarack Lane. This will subsequently diminish the amenity and ambience of Buderim's local town centre.*

#### Response

Any future development within the Local centre zone will be assessed against the relevant provisions of the Planning Scheme, including overlay codes, local plan codes and development codes (e.g. Transport and parking code).

Existing provisions within the Planning Scheme (including the Transport and parking code) are considered sufficient to ensure that the transport infrastructure (such as roads, parking and service areas) required to service the proposed development is provided in a safe and efficient manner and prevents unacceptable off-site impacts.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### ***Environmentally Relevant Activity status***

**Key issue/concern 1:** *Submitter requests service stations be put back on the ERA list and become impact assessable. Service stations are now code assessable due to them being removed from the ERA list.*

#### Response

Environmentally relevant activities that are prescribed activities are generally industrial or intensive animal industries with the potential to release emissions which impact on the environment and surrounding land uses. A full list of all of the prescribed Environmentally Relevant Activities can be found in Schedule 2 of the *Environmental Protection Regulation 2019*.

Service stations used to be a devolved Environmentally Relevant Activity to Council called *Petroleum Product Storage* where the threshold was between 10m<sup>3</sup> – 500m<sup>3</sup>. This Environmentally Relevant Activity was amended into another non-devolved Environmentally Relevant Activity called Chemical Storage, and the threshold was changed to greater than 500m<sup>3</sup> which removed the requirement for concurrence assessment against the *Environmental Protection Act 1994* and

Environmental Protection Permit's for the majority of new local service station developments.

The level of assessment for a service station in particular zones is not determined by its status as an Environmentally Relevant Activity.

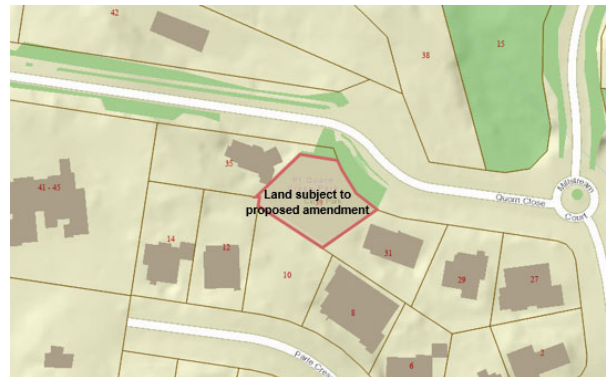
Notwithstanding the above, it is intended as part of the preparation of the new planning scheme for the Sunshine Coast, that Council undertake a review of the service station provisions, with particular emphasis on applicable levels of assessment, locational criteria, design in sensitive settings and response to emerging technology.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### **33 Quorn Close, Buderim**

The subject site is located on Quorn Close in the western part of the Buderim local plan area and is close to the upper Quorn Close entry to the Buderim Forest Park and Falls (refer to Figure 1(f) below).

**Figure 1(f): Location of subject land**



It is proposed to amend the zoning of Lot 2 on RP183878 from the Open space zone to the Low density residential zone - Precinct LDR-1 (Protected Housing Area). It is also proposed to amend Figure 7.2.5A (Buderim Local Plan Elements) of the Buderim Local Plan Code, to remove the 'greenspace' designation over the site.

#### ***Summary of submissions received***

Council received a total of 2 submissions in relation to 33 Quorn Close. 1 submission outlined support for the proposed amendment and 1 submission objected to the proposed amendment.

The matters raised in submissions are categorised into the following key issues:

Buderim – 33 Quorn Close	
Key issue	No. of submissions
Local amenity	2
Affordable housing	1

(Note: submissions raised multiple issues, so the number of submissions identified in this table does not equal the total number of submissions received).

### Consideration of Key Issues/Concerns and Responses

#### Local amenity

**Key issue/concern 1:** *Submitter supports the zoning change and agrees the removal of the site from open space is unlikely to materially affect the local amenity.*

#### Response

The support outlined for the proposed amendment, is acknowledged and noted.

**Recommendation:** No change to the proposed amendment in response to this issue.

**Key issue/concern 2:** *Submitter objects to the proposed amendment at 33 Quorn Close, Buderim as green space should be retained in the urban environment and should not be used for residential dwellings. It could be used to contribute to a number of uses e.g. urban biodiversity, community garden, social gatherings or a recreation area.*

#### Response

The subject site, identified as Point Quorn Close Park and designated as a Recreation - Amenity Reserve in Council's Open Space Network, is not required as open space for the following reasons:

- the site is small at only 808m<sup>2</sup> in area;
- there are no park assets on the site;
- a drainage easement and sewage infrastructure are located along the north-western boundary of the site;
- the upper Quorn Close entry to the Buderim Forest Park and Falls, which includes a memorial garden, picnic/barbeque facilities,

toilets and parking, is located approximately 60 metres north of the subject site;

- the site is also subject to a number of Planning Scheme overlays, most notably the Landslide hazard and steep land overlay; and
- a Slope Stability Risk Assessment, undertaken in March 2020, indicates that the risk to property and to properties adjacent to the site for residential purposes is "low" provided that the recommendations made within the report relating to hillside construction and long-term stability are implemented.

Having regard to the above it is considered appropriate to amend the zoning of Lot 2 on RP183878 at 33 Quorn Close, Buderim from the Open space zone to the Low density residential zone (Precinct LDR-1 (Protected Housing Area)), which is consistent with the previous zoning under the former *Maroochy Plan 2000* and the prevailing zoning of adjoining land.

**Recommendation:** No change to the proposed amendment in response to this issue.

**Key issue/concern 3:** *The submitter objects to the proposed zoning change as there is a connectivity opportunity with Buderim Forest Park and it would provide a green entrance amenity to the park.*

#### Response

The site is located approximately 60 metres from the Buderim Forest Park and Falls. There are existing connectivity opportunities into the Buderim Forest Park to the north, east and south of the subject site.

Given the above, it is considered 33 Quorn Close is not required to ensure connectivity into Buderim Forest Park and Falls and would be more suitable for residential purposes.

**Recommendation:** No change to the proposed amendment in response to this issue.

#### Affordable housing

**Key issue/concern 1:** *Submitter does not believe the land is surplus to Council's needs and that it will contribute to affordable housing as discussed at the Housing Crisis Summit.*



*The submitter states that 33 Quorn Close, Buderim requires major engineering works to allow a dwelling house to be constructed over the site.*

*The submitter believes any sale of community facilities land should go towards the provision of community facilities in the local area and not into general revenue. A portion should also go towards social housing grants to companies such as Coast2Bay.*

#### Response

It is acknowledged that 33 Quorn Close is not suitable for large scale affordable housing developments due to its lot size and site characteristics. However, the land is identified as being surplus to Council's needs and has the potential to accommodate a dwelling house.

Revenue from the sale of this land will go into general revenue as the land was not acquired for open space.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### **22 Dixon Road, Buderim**

The proposed amendment relates to land located in the centre of the Buderim local plan area, generally bounded by Dixon Road and an unconstructed road (refer to Figure 1(g) below).

**Figure 1(g): Location of subject land**



The proposed amendment seeks to change the zoning of the subject land from the Limited development (landscape residential) zone to the Low density residential zone - Precinct LDR1 (Protected Housing). It is also proposed to amend the Urban Growth Management

Boundary to reflect the proposed zoning changes.

It is also proposed to include specific provisions in the Buderim Local Plan Code to limit the subdivision of the land to a maximum of 2 lots, to be consistent with a former Development Permit.

#### **Summary of submissions received**

Council received a total of 2 submissions in relation to 22 Dixon Road, Buderim. One (1) submission outlined provisional support for the proposed amendment and one (1) submission objected to the proposed amendment.

The matters raised in submissions are categorised into the following key issues:

<b>Buderim – 22 Dixon Road</b>	
<b>Key issue</b>	<b>No. of submissions</b>
Development potential	2
Housing crisis	1
Alignment with the SEQ Regional Plan	1

(Note: submissions raised multiple issues, so the number of submissions identified in this table does not equal the total number of submissions received).

#### **Consideration of Key Issues/Concerns and Responses**

##### **Development potential**

**Key issue/concern 1:** *Submitter supports the zoning change but strongly objects to the proposed Performance Outcome in the Buderim local plan code limiting subdivision of the land into a maximum of 2 lots. The submitter states the land is well located and suitable for more intensive residential development. Ultimate yield should be resolved via technical assessment as part of a future development application.*

#### Response

Proposed Performance Outcome PO14 in the Buderim local plan code states:

*“Reconfiguring a lot in the Low density residential zone in Precinct LDR1 (Protected Housing Area) at 22 Dixon Road, Buderim (Lot 11 RP883261) provides for a maximum of two (2) lots.”*



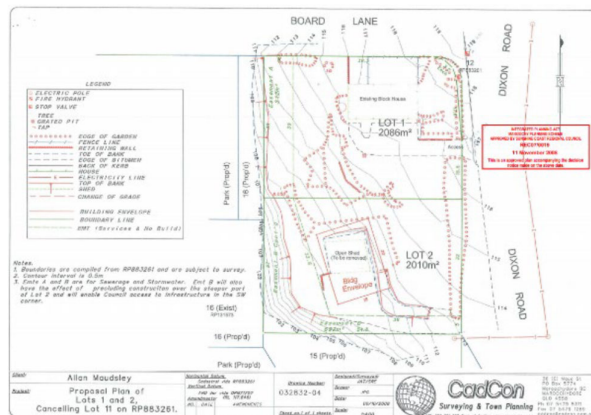
The subject land is partially mapped as being subject to the Biodiversity, Waterways and Wetlands Overlay (Native Vegetation Area – western and southern portions), the Bushfire Hazard Overlay (High Bushfire Hazard Area and High Bushfire Hazard Area Buffer) and the Landslide Hazard and Steep Land Overlay (Moderate and High Hazard Areas and Slopes).

It is noted the existing constraints of the site will not change should the proposed amendment proceed.

In November 2008, Council issued a Development Permit for Reconfiguring a lot (1 into 2 lots) under the former *Maroochy Plan 2000* (REC07/0019). A Geotechnical Report prepared as part of a development application concluded *"the site is suitable for subdivision and that a suitable and stable house site is available on the site. The site is steep however good engineering practices are recommended to address the geotechnical and slope stability constraints on the site. These recommended practices should be more precisely defined by NCGC"*.

Informed by the geotechnical report, Council issued a Development Permit for Reconfiguring a lot under the former *Maroochy Plan 2000* in November 2008 (REC07/0019) and limited the subdivision to 2 lots. This approval has since lapsed (refer to Figure 1(h)).

**Figure 1(h): Lapsed approved subdivision**



Entry into 22 Dixon Road is limited to access along Dixon Road as Board Lane (northern boundary) is unconstructed and is also constrained by moderate and high landslide hazards.

The intent of proposed Performance Outcome PO14 is to reflect both the existing constraints over the site and the findings from the

geotechnical report submitted with the development application (REC07/0019).

Future subdivision of 22 Dixon Road will require the submission of a development application to Council. Should the applicant wish to propose more than a maximum of 2 lots, sufficient justification will need to be submitted with the development application to support the proposal.

Given the above, it is considered the proposed Performance Outcome is reasonable and relevant to the site, as well as a reflection of the previous assessment.

**Recommendation: No change to the proposed amendment in response to this issue.**

**Key issue/concern 2:** *Submitter has expressed concern of further subdivision over the site as it is heavily constrained. There is also concern climate change will increase these risks. The submitter believes Council should be moving to risk-averse planning and not repeat previous risk tolerant decisions.*

#### Response

The subject site was deemed to be suitable for subdivision under the former *Maroochy Plan 2000* and this was supported with a geotechnical report submitted with the former development application (REC07/0019).

Any future subdivision of this site will be assessed against the provisions of the Planning Scheme, which are relevant to the proposed development, including Overlay codes and Other development codes.

The Landslide hazard and steep land overlay code includes specific provisions that seek to avoid or mitigate the potential adverse impacts of landslide hazard on people, property, economic activity and the environment. The Reconfiguring a lot code also includes specific provisions to require development to be responsive to site constraints.

The additional proposed provision, as discussed above, will also limit subdivision of the site and raise the awareness of the constraints which currently exist.

It is considered that there are appropriate assessment benchmarks in the existing Planning Scheme and the proposed amendment that address site constraints and would be considered in more detailed in the assessment

process for any forthcoming development application.

**Recommendation: No change to the proposed amendment in response to this issue.**

### ***Housing crisis***

**Key issue/concern 1:** *The submitter has stated the limit on the number of lots will add to the shortage of urban residential land in the region and contribute towards the housing crisis.*

#### Response

As stated above, future subdivision of 22 Dixon Road will require the submission of a development application to Council. The development application will be assessed against relevant codes in the Planning Scheme, including the provisions in the Reconfiguring a lot code.

The purpose of the Reconfiguring a lot code is to ensure that new lots are configured in a manner which is responsive to site constraints. New lots are to be appropriately designed for their intended use (refer to Overall Outcome (a) and Performance Outcome PO3(a) of the Reconfiguring a lot code). This includes taking account of and responding appropriately to natural values and site constraints (refer to Performance Outcome PO3(e) of the Reconfiguring a lot code).

The creation of additional lots would not assist the housing crisis if dwelling houses were unable to be constructed due to the constraints of the site. Any new sites have to be suitable for their intended use, being residential in this instance.

**Recommendation: No change to the proposed amendment in response to this issue.**

### ***Alignment with the SEQ Regional Plan***

**Key issue/concern 1:** *Submitter is unclear if the subject site is in or out of the Urban Footprint of the South East Queensland (SEQ) Regional Plan 2017.*

#### Response

Under the *ShapingSEQ South East Queensland Regional Plan 2017*, the subject land is included in the Urban Footprint regional land use category. As such, development of the site for urban purposes is consistent with the SEQ Regional Plan.

**Recommendation: No change to the proposed amendment in response to this issue.**

## **MAROOCHYDORE**

The proposed amendment relates to land located at 6 and 8-10 Wharf Street, Maroochydore, which comprises the Duporth Riverside Apartments and the Pier Ten Apartments. Refer to **Figure 2** below.

**Figure 2: Location of subject land**



The proposed amendment seeks to realign the boundary to exclude the Duporth Riverside and Pier Ten Apartments from the Ocean Street Food and Music Sub-precinct under the Maroochydore/Kuluin Local Plan Precincts of the Planning Scheme. The remainder of the Ocean Street Sub-Precinct would continue to operate as intended.

### Summary of submissions received

Council received a total of 37 submissions in relation to the proposed Maroochydore amendment. All of the 37 submissions received, were in support of the proposed amendment.

Maroochydore	
Key issue	No. of submissions
Residential amenity	17
Noise pollution	10
Compliance issues	1
Value of property	1

(Note: several submissions raised multiple issues, so the number of submissions identified in this table does not equal the total number of submissions received).

Overall support for the proposed amendment generally related to:

- residential amenity (existing use rights, prevention of anti-social behaviour and the avoidance of intensive entertainment uses surrounding the sites);
- leading to a reduction in noise pollution;
- a reduction in compliance issues with existing development approvals; and
- less impacts to property values.

The support outlined for the proposed amendment, is acknowledged and noted.

**Recommendation: No change to the proposed amendment.**

### MOOLOOLABA

The proposed amendment relates to sites located at:

- 13 and 21 Smith Street, Mooloolaba (refer to **Figure 3(a)** below); and
- 52 Amarina Avenue, Mooloolaba (refer to **Figure 3(d)** below).

#### 13 and 21 Smith Street, Mooloolaba

It is proposed to increase the maximum building height for 13 and 21 Smith Street, from 18 metres to 25 metres to be consistent with the 25 metre maximum building height for the surrounding land.

**Figure 3(a): Location of subject land**



### Summary of submissions received

Council received a total of 10 submissions in relation to the proposed Mooloolaba amendment. Eight (8) of these submissions provided issues/concerns relating to 13 and 21 Smith Street, Mooloolaba. Of the total number of submissions received, 3 submissions outlined provisional support and 5 submissions objected to the proposed amendment.

The matters raised in submissions are categorised into the following key issues:

Mooloolaba – 13 and 21 Smith Street	
Key issue	No. of submissions
Increased traffic congestion and parking issues	3
Character of Sunshine Coast	2
Consolidation of land	2
Environmental impacts	2
Built form and urban design outcomes	2
Increase in building height	1
Brisbane Olympic Games 2032	1
Network infrastructure	1
Value of property	1

(Note: several submissions raised multiple issues, so the number of submissions identified in this table does not equal the total number of submissions received).

## **Consideration of Key Issues/Concerns and Responses**

The key issues/concerns raised in submissions are summarised as follows:

### **Support for amendment**

**Key issue/concern 1:** Submitters expressed overall support for an increase in building height at 13 and 21 Smith Street, Mooloolaba for the following reasons:

- maintaining the overall character of the Sunshine Coast by minimising urban sprawl and consolidating land;
- Brisbane Olympic Games 2032 will increase growth;
- making full use of major infrastructure networks and community facilities;
- reducing the need for private vehicles and promoting walking and bicycle riding;
- the proposal is consistent with and complements existing and emerging built form in the surrounding Mooloolaba locality; and
- leads to improved urban design outcomes.

### Response

The support outlined for the proposed amendment, is acknowledged and noted.

**Recommendation: No change to the proposed amendment in response to this issue.**

### **Increased traffic congestion and parking issues**

**Key issue/concern 1:** Submitter believes the likely development at this location will be for short-term accommodation or residential use leading to increased locally generated usage of the beach and Mooloolaba Spit. This is thought to increase traffic congestion and parking issues.

**Key issue/concern 2:** Submitters state there is a need for long-term traffic, vehicle access and public parking at Mooloolaba Beach/Spit to be accessed by all members of the community. This has not previously been addressed in the Mooloolaba/Alexandra Headland local plan code or in the preliminary directions for the NPS.

*Brisbane Road car park was not considered to be a long-term solution to address this problem. Parkyn Parade is thought to have reached capacity. Council cannot rely on the proposed upgrade to public transport on the coastal corridor to address this issue.*

*A Park and Go at Brisbane Road car park, free public transport at Mooloolaba and electric buses servicing Nicklin Way, Brisbane Road, Alexandra Parade and Aerodrome Road are suggested to address public transport for this part of the Sunshine Coast. Light rail is not supported.*

**Key issue/concern 3:** More car parking spaces cannot be accommodated onsite and parking contributions in lieu of providing car parking spaces is not considered to solve the local parking problems. The Planning Scheme does not require sufficient car parking for development.

### Response

Council endorsed the Placemaking Mooloolaba Master Plan at its December 2015 Ordinary Meeting. The Master Plan has been a catalyst to many infrastructure projects in Mooloolaba, including the Brisbane Road car park redevelopment, Mooloolaba transport corridor upgrade and foreshore revitalisation project. Together these projects seek to create a mix of public space and streetscape improvements, improve access for pedestrians, cyclists and public transport connectivity, provide for more efficient traffic flows and road safety, minimise congestion and parking issues in Mooloolaba.

Future development of the proposed sites will require the lodgement of a development application which would be assessed against the relevant provisions of the Planning Scheme, including overlay codes, local plan codes and development codes (including the Transport and parking code). A traffic and parking assessment would be required to be submitted as part of any forthcoming development application.

Therefore, it is considered that the existing provisions in the Planning Scheme (including the Transport and parking code) are sufficient to ensure the transport infrastructure (such as roads, parking and service areas) required to service the proposed development is provided in a safe and efficient manner.

**Recommendation: No change to the proposed amendment in response to these issues.**

### **Character of Sunshine Coast**

**Key issue/concern 1:** Submitters are concerned the increase in height will lead to the Sunshine Coast becoming the Gold Coast with too many high rises. Concern was also raised the increase would set a precedent for raising building height in the region.

#### Response

The subject sites are located within the District centre zone, which is generally characterised by higher density buildings.

A proposed increase in building height for 13 and 21 Smith Street, Mooloolaba from 18 metres to 25 metres (an increase of 7m) is consistent with the character of the local area and reflects the existing maximum building heights for land in the surrounding area.

The concerns raised relating to increased building height generally in the region are noted and will be considered in conjunction with the feedback received during the preliminary consultation period for the preparation of the new planning scheme for the Sunshine Coast.

**Recommendation: No change to the proposed amendment in response to this issue.**

### **Environmental impacts**

**Key issue/concern 1:** Submitters are concerned the increase in height will limit airflow, the density will create a heat hub and an unpleasant environment.

**Key issue/concern 2:** Submitter was in support of the proposed height increase but was concerned there would be shading on 21 Smith Street from a higher development at 13 Smith Street during the winter months.

#### Response

The issues relating to airflow, heat and shade will be assessed through a development application. Future development of the proposed sites will be subject to assessment against the relevant provisions of the Planning Scheme, including overlay codes, local plan codes and development codes.

**Recommendation: No change to the proposed amendment in response to these issues.**

**Key issue/concern 3:** Submitter states beaches need protection not development. Recent development has compromised important environment areas which are unretrievable.

**Key issue/concern 4:** Submitter requests compliance action for developers/landowners when outside lights are on after 8pm during the turtle nesting season.

#### Response

Council is committed to minimising the impact of lighting on wildlife, particularly in sensitive areas such as turtle nesting beaches and the like. It is considered that an increase in building height at the location of the proposed amendment, will not have a material impact on turtle nesting areas.

Compliance with conditions of a development approval may be investigated by Development Services should a specific site be identified. The submission did not identify a specific site.

**Recommendation: No change to the proposed amendment in response to these issues.**

### **Built form and urban design outcomes**

**Key issue/concern 1:** Submitter requests the proposed maximum building height at 13 Smith Street, Mooloolaba be increased to 37.5m for the following reason:

- it is consistent with and complements the existing and emerging built form in the surrounding Mooloolaba locality;
- heights of buildings surrounding site ranges from 25m to 45m;
- the Pandanus Mooloolaba and Seabreeze developments exceed the current and proposed new building height;
- unique opportunity to transition building form and height;
- to allow Brisbane Road car park to achieve the maximum 45m height the incorporation of an adjoining site (13 Smith Street, Mooloolaba) at or close to the same height would be required. The ability to integrate built form would be vastly improved with an increase to 37.5m; and



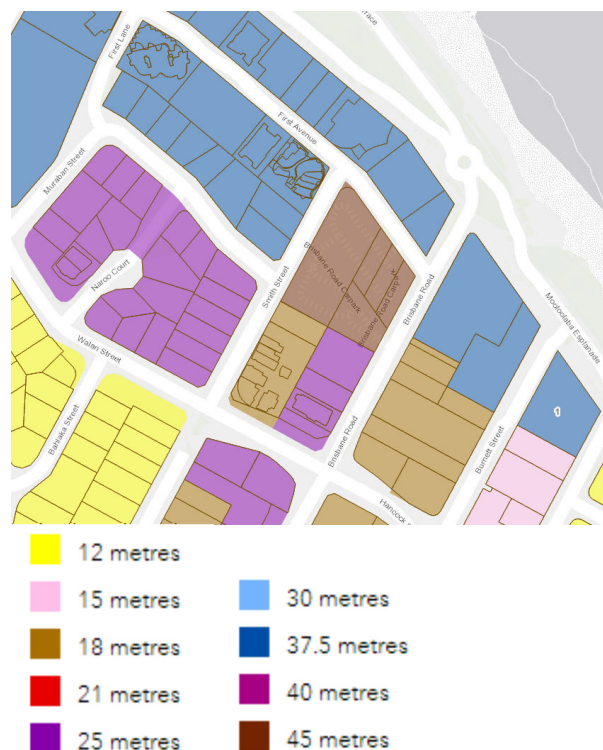
- *improved urban design outcomes would comply with the Heights of buildings and structures overlay code (Performance Outcome PO3).*

#### Response

Under the Planning Scheme, 13 Smith Street, Mooloolaba (legally described as Lot 91 on RP73433), is currently included in the District centre zone in the Mooloolaba/Alexandra Headland Local plan area and has a maximum building height of 18 metres.

The northern side boundary of the subject site adjoins the Brisbane Road Car Park, which currently has a maximum building height of 45 metres. To the south is the Pandanus Mooloolaba Apartments, located at 21 Smith Street (legally described as Lot 0 on SP173707). This site currently has a maximum building height of 18 metres. Land to the south-east and north-west currently has a maximum building height of 25 metres (refer to Figure 3(b) below).

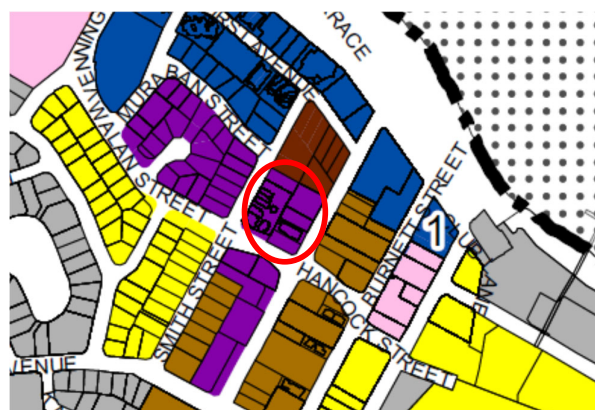
**Figure 3(b): Extract from the Height of buildings and structures overlay**



Having regard to the existing maximum building heights for development directly adjacent to the sites to the south, west and east, it is considered appropriate for an increase in the maximum building height for 13 and 21 Smith Street, from

18 metres to 25 metres only (refer to Figure 3(c) below).

**Figure 3(c): Extract from the proposed Height of buildings and structures overlay**



A further review of building height for the whole of the Mooloolaba local plan area will be undertaken as part of the New Sunshine Coast Planning Scheme Project. There will be an opportunity to provide feedback on the draft version of the new planning scheme when it is released for formal public consultation (following Council consideration and a state interest review).

**Recommendation: No change to the proposed amendment in response to this issue.**

#### **Increasing building heights**

**Key issue/concern 1:** Submitter has requested the current maximum heights in the Planning Scheme should be maintained (e.g. 13 and 21 Smith Street, Mooloolaba). Preliminary consultation for the new planning scheme stated maximum heights would be maintained.

**Key issue/concern 2:** Submitter thinks an increase in building height undermines the Planning Scheme, destroys public confidence and gives the Sunshine Coast a Gold Coast style mass high rise appearance.

#### Response

Preliminary consultation for the New Sunshine Coast Planning Scheme Project was undertaken in February and March 2022. To help inform the development of the new planning scheme, Council prepared the *Sunshine Coast Land Use Planning Proposal 2041*, which included:

- Part 1 – Proposed Vision and Regional Planning Directions; and



- Part 2 – Proposed Local Planning Directions.

Part 1 advised the new planning scheme would “*maintain a strong position on building height limits*” as a guiding principle. As such, the proposed regional planning directions seek to ensure:

- the height of buildings and structures recognises the distinctive character and amenity of the Sunshine Coast as a place with predominantly low to medium rise built form; and
- development to not exceed the set height limits.

The proposed amendment seeks to increase the building height only at 2 sites within Mooloolaba. A proposed increase in building height over 13 and 21 Smith Street, Mooloolaba to 25 metres from 18 metres recognises and reflects that local character and amenity.

Part 2 outlines a proposed planning intent for each local plan area. The level of change proposed at Mooloolaba (i.e. 13 and 21 Smith Street), is to be moderate compared with the current planning scheme. Therefore, the proposed increase in height at this location is consistent with the proposed regional and local planning directions for the New Sunshine Coast Planning Scheme.

The concerns raised relating to increased building height in the region are noted and will be considered in conjunction with the feedback from the preliminary consultation period for the New Sunshine Coast Planning Scheme.

**Recommendation: No change to the proposed amendment in response to these issues.**

### **Value of property**

**Key issue/concern 1:** *Submitter is concerned the increase in building height over the subject sites will affect all owners in the Pandanus Mooloolaba apartments negatively by devaluating their investment.*

### **Response**

The concern raised in the submission in relation to the impacts of property values at the Pandanus Mooloolaba apartments (21 Smith Street, Mooloolaba) is acknowledged.

Future development of the proposed site will be subject to development assessment, against the relevant provisions of the Planning Scheme, including overlay codes, local plan codes and development codes.

Existing provisions within the Planning Scheme (including the Heights of buildings and structures overlay code) are considered sufficient to ensure that any structure protects the distinctive character and amenity of the locality and is consistent with the reasonable expectations of the local community.

**Recommendation: No change to the proposed amendment in response to this issue.**

### **52 Amarina Avenue, Mooloolaba**

It is proposed to amend the zoning of 52 Amarina Avenue, Mooloolaba from the Community facilities zone (annotated as Utility installation – Local utility) to the Low density residential zone - Precinct LDR-1 (Protected Housing Area).

**Figure 3(d): Location of subject land**



### **Summary of submissions received**

Council received 2 submissions relating to 52 Amarina Avenue. 1 submission outlined full support and 1 submission objected to the proposed amendment.

The matters raised in submissions are categorised into the following key issues:

Mooloolaba – 52 Amarina Avenue	
Key issue	No. of submissions
Waste of Council resources	1
Affordable housing	1
Disputes surplus to Council needs	1

(Note: several submissions raised multiple issues, so the number of submissions identified in this table does not equal the total number of submissions received).

### **Consideration of Key Issues/Concerns and Responses**

The key issues/concerns raised in submissions are summarised as follows:

#### **Waste of Council resources**

**Key issue/concern 1:** *Submitter states disposing of the lot is a pointless exercise and a waste of Council resources if only 324m<sup>2</sup> is useable space. Only if you were a direct neighbour able to purchase the site may you be in favour of it.*

#### Response

52 Amarina Avenue, Mooloolaba is 644m<sup>2</sup>, being generally consistent with surrounding residential lots included in the Low density residential zone (Precinct LDR1 (Protected Housing Area)).

It is acknowledged with the easement along the eastern boundary of the site, and the potential for flooding at the rear of the lot, the developable area of the land may be reduced to approximately 342m<sup>2</sup>. Nevertheless, the lot is still considered suitable to be utilised for low density residential purposes.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### **Affordable housing**

**Key issue/concern 1:** *Submitter does not believe the land identified by Council as being surplus to needs will contribute to affordable*

*housing as discussed at the Housing Crisis Summit.*

*The submitter states that 52 Amarina Avenue, Mooloolaba is high value land and is not suitable for affordable housing.*

*The submitter believes any sale of community facilities land should go towards the provision of community facilities in the local area and not into general revenue. A portion should also go towards social housing grants to companies such as Coast2Bay.*

#### Response

It is acknowledged that 52 Amarina Avenue is not suitable for large scale affordable housing developments due to its lot size and site characteristics. However, the land is identified as being surplus to Council's needs and has the potential to accommodate a dwelling house.

The land at 52 Amarina Avenue was zoned Community facilities due to the pump station on part of the lot. The land was not acquired or set aside for a community facility. As such, it is not in Council's community facility network plan and does not meet Council's desired standard of service for a local level community facility site (the minimum being 5,000m<sup>2</sup>). Given the above, the revenue from the sale of the land will not directly go towards the provision of a new community facility.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### **Disputes surplus to Council needs**

**Key issue/concern 1:** *Submitter states there is no evidence provided to demonstrate how this site is surplus to Council's needs. The vegetation on site makes it difficult to identify as vacant parkland. There is no park signage to encourage the intended use.*

#### Response

The subject site formed part of a parent lot (Lot 142 on RP138548). The parent lot contained Unitywater infrastructure in the form of a sewerage pump station. One (1) additional lot has been created (legally described as Lot 900 on SP318724) with a site area of 63m<sup>2</sup> to house the sewage pump station. New titles were registered on 10 March 2020. 52A Amarina Avenue, Mooloolaba (Lot 900 on SP318724) is

currently under the ownership of the Northern SEQ Distributor-Retailer Authority.

As the land was not acquired or set aside for a community facility, it was not included in Council's community facility network plan. The site also does not meet Council's desired standard of service for a local level community facility (minimum 5,000m<sup>2</sup>).

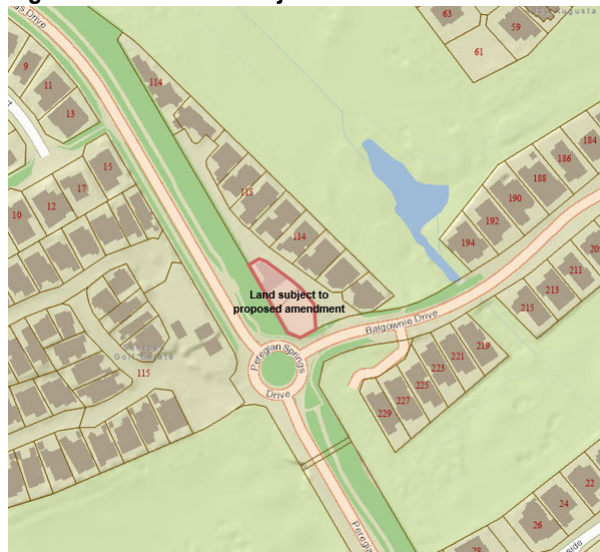
Given the above, Council endorsed the site (OM20/26 and OM21/96) be disposed of as it was surplus to the region's needs.

**Recommendation: No change to the proposed amendment in response to this issue.**

## PEREGIAN SPRINGS

The proposed amendment relates to land located at 58/114 and 59/114 Peregian Springs Drive, Peregian Springs (legally described as Lots 58 and 59 SP155890). Refer to **Figure 4**.

**Figure 4: Location of subject land**



The proposed amendment seeks to amend the zoning of the land from the Sport and recreation zone to the Low density residential zone. It is also proposed to amend Figure 7.2.24A (Peregian South Local Plan Elements) to remove the greenspace designation over the subject land to reflect the zoning change.

### **Summary of submissions received**

Council received a total of 7 submissions in relation to the proposed Peregian Springs amendment. Of the total number of submissions received, 3 submissions outlined full support and

4 submissions objected to the proposed amendment.

The matters raised in submissions are categorised into the following key issues:

Peregian Springs	
Key issue	No. of submissions
Reflection of existing land use	2
Removal of recreation space	2
Planning scheme error	1
Investment opportunity	1

(Note: several submissions raised multiple issues, so the number of submissions identified in this table does not equal the total number of submissions received).

### **Consideration of Key Issues/Concerns and Responses**

The key issues/concerns raised in submissions are summarised as follows:

#### **Support for amendment**

**Key issue/concern 1:** Submitters expressed overall support for the proposed amendment as:

- it reflects the current land use over one of the sites (dwelling house);
- it likely corrects a Planning Scheme error and is an administrative tidy-up; and
- there is no resistance from the community.

#### **Response**

The support outlined for the proposed amendment, is acknowledged and noted.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### **Removal of recreation space**

**Key issue/concern 1:** Submitter objected to the proposed amendment as it was thought the green space was being sacrificed for development.

#### **Response**

The land is located on the corner of Peregian Springs Drive and Balgownie Drive and forms part of a residential community development (Sentosa Golf Estate). The land is freehold and

does not form part of the Sentosa Estate common property.

Under the Planning Scheme, the subject land is currently included in the Sport and recreation zone. This zoning reflects the former use of the land as a recreational centre and tennis court.

The Sentosa Golf Estate Community Titles Scheme (CTS 31985) included reference to the subject land being used either for residential purposes or for recreational purposes. This gave the sites the ability to be used for either purpose.

A development approval (Development Permit for a Material Change of Use of Premises to establish 2 Dwelling Houses - MCU19/0068) was granted over the subject land on 25 July 2019. One (1) of the dwelling houses has subsequently been constructed over 58/114 Peregrin Springs Drive, Peregrin Springs.

Given the existing use of one of the lots is now a dwelling house, there is a current development approval for another dwelling house on the other site (59/114 Peregrin Springs Drive, Peregrin Springs), it is unlikely the subject sites will be used for recreation/open space purposes in the future.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### ***Investment opportunity***

**Key issue/concern 1:** *Submitter objected to the proposed amendment as they believe the owner would like to develop it for investment purposes.*

#### **Response**

Investigations of requests to Council to amend the zoning of a site do not take into consideration any financial gains which may eventuate to the landowner/s.

The purpose of the proposed amendment is to reflect the development approval (Development Permit for a Material Change of Use of Premises to establish 2 Dwelling Houses - MCU19/0068) granted over the subject land on 25 July 2019.

**Recommendation: No change to the proposed amendment in response to this issue.**

## **YANDINA**

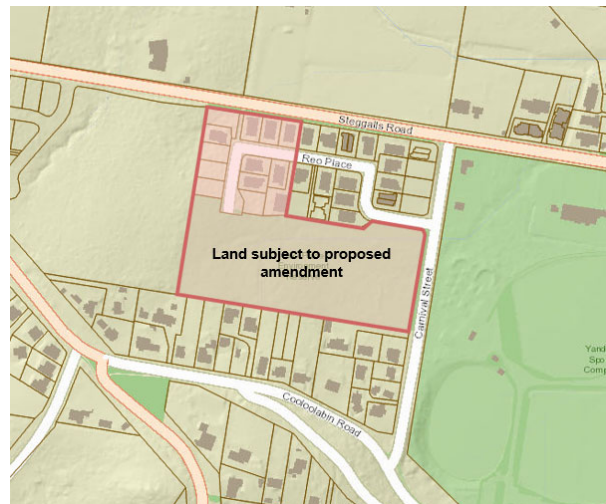
The proposed amendment relates to land located on the northern edge of Yandina's existing urban area at:

- Reo Place, Yandina (refer to **Figure 5(a)** below); and
- Honeysuckle Place and Appleberry Place, Yandina (refer to **Figure 5(b)** below).

### **Reo Place, Yandina**

The proposed amendment relating to land at Reo Place, Yandina, is proposed to be included in the Low density residential zone (Lots 13 to 24 and 32 on SP300553) and the Environmental management and conservation zone (Lot 33 on SP300553). It is also proposed that the Urban Growth Management Boundary be amended to reflect the proposed zoning changes.

**Figure 5(a): Location of subject land**



### **Summary of submissions received**

Council received a total of 8 submissions in relation to the proposed Yandina amendment. In Total 5 submissions provided comments in relation to Reo Place, Yandina.

Of the total number of submissions received, all were in support of the proposed amendment, subject to the resolution of questions relating to the existing approvals over the site.



The matters raised in submissions are categorised into the following key issues:

Yandina – Reo Place	
Key issue	No. of submissions
Environmental values	5
Superseded planning scheme approvals*	4
Existing land use	3
Recommendations for the new planning scheme	2
Scenic amenity	1

(Note: several submissions raised multiple issues, so the number of submissions identified in this table does not equal the total number of submissions received).

(Note\*: This issue/concern has been addressed in the "Whole of Amendment Package" section above).

### Consideration of Key Issues/Concerns and Responses

The key issues/concerns raised in submissions are summarised as follows:

#### Support for amendment

**Key issue/concern 1:** Submitters expressed overall support for the proposed amendment at Reo Place, Yandina as:

- it provides protection of bushland park and wildlife (over Lot 33 on SP300553);
- an abundance of fauna and flora has been observed in bushland park;
- scenic amenity of Yandina is enhanced; and
- it reflects development approvals and existing land use over the sites.

#### Response

The support outlined for the proposed amendment, is acknowledged and noted.

**Recommendation: No change to the proposed amendment in response to this issue.**

#### Recommendations for the new planning scheme

**Key issue/concern 1:** Submitters have recommended a number of actions to be considered in the drafting of the new planning scheme:

- avoid treeless subdivisions;
- policies to look at the bigger picture and the cumulative impacts that individual developments are having on the liveability and climate resilience across rural townships;
- minimum lot size of 700m<sup>2</sup> must be upheld; and
- a tight control needs to be maintained over dual occupancy lots (to be no smaller than 800m<sup>2</sup>).

#### Response

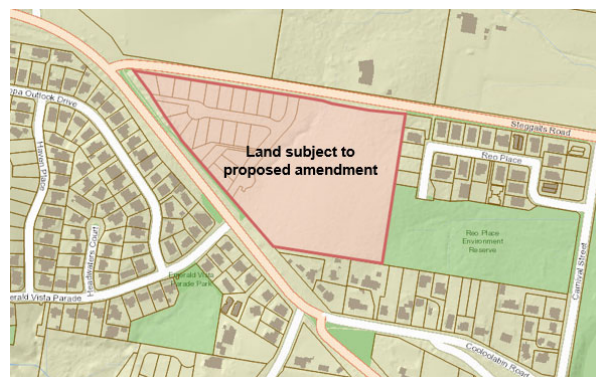
The issues/concerns raised are noted and will be considered in conjunction with the feedback from the preliminary consultation period for the drafting of the New Sunshine Coast Planning Scheme.

**Recommendation: No change to the proposed amendment in response to this issue.**

### Honeysuckle Place and Appleberry Place, Yandina

The proposed amendment relating to land at Honeysuckle and Appleberry Place, Yandina, is proposed to be included in the Low density residential zone (Lots 1 to 23 on SP327995) and the Environmental management and conservation zone (Lot 100 on SP327995). It is also proposed that the Urban Growth Management Boundary be amended to reflect the proposed zoning changes.

Figure 5(b): Location of subject land



#### Summary of submissions received

A total of 3 submissions provided comments in relation to Appleberry and Honeysuckle Place, Yandina.

Of the total number of submissions received, all were in support of the proposed amendment,

subject to questions relating to the existing approvals over the site.

The matters raised in submissions for this amendment are the same as previously discussed for Reo Place, Yandina. Please refer to the above section of the Consultation Report and the 'Whole of Amendment Package' section.

## PART C

### ADDITIONAL SITE REQUESTS

This section of the report considers submissions requesting changes to specific sites that did not relate to the proposed amendment, as publicly notified. A total of 10 submissions were received and relate to the below sites:

Additional Site Requests	
Site	Request
Buddina Urban Village – sub-precinct KAW LPSP-4a (7 submissions)	Request to amend the zoning of land from High density residential to Medium density residential and decrease the maximum height of buildings and structures to 12m. Additionally, to exclude visitor accommodation.
Malkana Crescent, Buddina (1 submission)	Request to remove the Low density residential Precinct LDR1 (Protected Housing Area)
14 Kondalilla Falls Road, Montville (Lot 312 on SP186045) (1 submission)	Request to amend the zone to reflect a development approval and the existing use of the site for a function centre/ wedding chapel.
Sunshine Coast to Noosa (1 submission)	Request for a dedicated bikeway from Caloundra to Noosa.

As these matters are unable to be considered as part of this amendment they have been referred for consideration as part of the preparation of the New Sunshine Coast Planning Scheme or to the relevant area within Council for consideration.