

## **Explanatory Memorandum**

# **Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment) No. 4**

7 December 2015



## 1. Short title

The amendment instrument to which this explanatory memorandum relates is the *Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment) No. 4*, relating to priority infrastructure plan amendments.

## 2. Type of amendment

The amendment to the *Sunshine Coast Planning Scheme 2014* constitutes a 'transitional interim local government infrastructure plan amendment' in accordance with Section 2.4B.1 of *Statutory guideline 04/14: Making and amending local planning instruments*.

## 3. Entity making the Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment)

The entity making the *Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment) No. 4* is the Sunshine Coast Regional Council.

## 4. Land affected by the Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment)

The *Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment) No. 4* affects land subject to the priority infrastructure area as shown in Schedule 3 (Priority infrastructure plan mapping and supporting material) of the *Sunshine Coast Planning Scheme 2014*.

## 5. Purpose of the Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment)

The purpose and general effect of the *Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment) No. 4* is to:-

- (a) remove all references to water supply and sewerage trunk infrastructure networks in the Priority Infrastructure Plan (including associated mapping) in accordance with Unitywater's requirements;
- (b) include a small number of new trunk infrastructure projects and to amend the description of existing trunk infrastructure projects which are incorrectly stated;
- (c) correct Priority Infrastructure Plan mapping anomalies that have been identified post-commencement of the planning scheme;
- (d) undertake minor revisions to correct errors and help improve the consistency and operation of the Priority Infrastructure Plan; and
- (e) reflect changes made to the Priority Infrastructure Plan elsewhere within the Sunshine Coast Planning Scheme 2014 to ensure consistency.

## 6. Details of the Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment)

The Sunshine Coast Regional Council has made the *Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment) No. 4* primarily in response to the following:-

- (a) Unitywater's Netserv Plan (which became operational on 1 October 2014) relates to Unitywater's infrastructure planning and charging requirements, and therefore any provisions contained in the existing priority infrastructure plan relating to water supply and sewerage are now redundant;
- (b) mapping anomalies that occurred following notification of the draft planning scheme resulting in data being displayed inconsistently on the priority infrastructure plan mapping that was ultimately gazetted; and
- (c) a small number of infrastructure projects that need to be either added or removed from the priority infrastructure plan and associated mapping.

Table 6.1 provides further details of the planning scheme amendment.

**Table 6.1 Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment) No. 4**

<b>Amendment</b>	<b>Reason for amendment</b>
<i>Part 4 (Priority infrastructure plan)</i>	
Remove all references throughout Part 4 relating to the water supply and sewerage trunk infrastructure networks and make any consequential changes as a result of this proposed amendment.	All matters relating to water supply and sewerage trunk infrastructure planning are now covered in Unitywater's Netserv plan which commenced on 1 October 2014.  The Netserv Plan deals with Unitywater's infrastructure planning and charging requirements and therefore makes any provisions of council's priority infrastructure plan relating to water supply and sewerage planning and charging redundant.
Delete references to "existing lawful use" and include reference to the Netserv Plan where necessary.	"Existing lawful use" is used for the determination of charges. This is now contained in the Infrastructure Charges Resolution. Therefore, these references are proposed to be deleted to remove inconsistencies. The Netserv Plan deals with Unitywater's planned demands.
Additions to the descriptions in Table 4.5.5 (Typical trunk infrastructure network systems and items) in the column labelled "Items included".	Detail required providing an accurate description of the items that make up the "trunk" network.
Table T1.1 Roads trunk network schedule of works (2011-2031):- <ul style="list-style-type: none"> <li>insert new project for the Mons Rd/Owen Creek Rd intersection upgrade;</li> <li>insert new project R-00-001 (Palmview Southern Link); and</li> <li>amend details for project R-26_009 (Maud Street).</li> </ul>	To include new trunk infrastructure projects and to amend the description of existing trunk infrastructure projects which are incorrect.
Table T1.2 Roads trunk network schedule of works (Post 2031):- <ul style="list-style-type: none"> <li>add new project R-00-002 (Palmview Southern Link); and</li> <li>amend details for project R-26_007 (Second Avenue).</li> </ul>	To include a new trunk infrastructure project at Palmview and to amend the description of an existing trunk infrastructure project that is incorrect.
Amend the total estimates for Table T1.1 - Road Network Schedule (2011-2031); Table T1.2 - Road Network Schedule (Post 2031); and Table CP1.1 – Public Parks Network Schedule (2011-2031).	<u>In response to submission</u> : There are errors in the calculation of the total estimates.
Amend Table CP2 Land for community facilities trunk network schedule of works to delete project 0608 (Learning and information centre – library facility).	This project should not have been identified as a priority infrastructure plan project as it does not involve a land component for community facilities and should be deleted accordingly.
Amend the following tables to remove the "Palmview Infrastructure Agreement Area" as being in the locality areas inside the priority infrastructure area (PIA) and insert in the locality areas outside of the PIA:- <ul style="list-style-type: none"> <li>Table 4.2.9 Estimated existing and projected dwellings;</li> <li>Table 4.2.10 Existing and projected dwellings and land area;</li> <li>Table 4.2.11 Existing and project employment; and</li> <li>Table 4.2.12 Existing and projected non-residential floor space and land area.</li> </ul> Update the above tables with revised projection figures as per proposed amendments to the Palmview Structure Plan.	The planning assumptions presented in the priority infrastructure plan have incorrectly included the Palmview Infrastructure Agreement Area as being inside the priority infrastructure area (PIA) when it is actually outside of the PIA. It is also necessary to update the projection figures for the Palmview Infrastructure Agreement Area to align with the proposed amendments to the Palmview Structure Plan.

Amendment	Reason for amendment
<i>Schedule 3 (Priority infrastructure plan mapping and supporting material)</i>	
Remove all water network maps and sewer network maps from Schedule 3.	<p>All matters relating to water supply and sewerage trunk infrastructure planning are now covered in Unitywater's Netserv plan which commenced on 1 October 2014.</p> <p>The Netserv Plan deals with Unitywater's infrastructure planning and charging requirements and therefore makes any provisions of council's priority infrastructure plan relating to water supply and sewerage planning and charging (including associated mapping) redundant.</p>
<p>Amend Table SC3.1 (PIP map index) in Schedule 3 to:-</p> <ul style="list-style-type: none"> <li>• delete all water network maps and sewer network maps; and</li> <li>• amend the sub-heading and map titles for the open space, community facilities and recreation trails network.</li> </ul>	To reflect removal of all water network maps and sewer network maps in Schedule 3 and in response to mapping anomalies which has incorrectly displayed the map title for the open space, community facilities and recreation trails network.
Renumber all stormwater quality network maps, transport network (road) maps, transport network (active transport) and open space, community facilities and recreation trails network maps in Schedule 3 and in Table SC3.1 (PIP map index).	Renumbering of remaining network maps is required as a consequence of the removal of all water network maps and sewer network maps from Schedule 3.
Amend all remaining priority infrastructure plan maps in Schedule 3 to correct anomalies in the way that the data is displayed on the face of the mapping and in the map legends.	<p>Anomalies in the way data has been symbolised and displayed on the priority infrastructure plan mapping has been identified post-commencement of the planning scheme.</p> <p>Following submissions to the public notification of the draft Sunshine Coast Planning Scheme in late 2012, work on updating the priority infrastructure plan mapping was undertaken. On completion of this work, the data was integrated with the rest of the changes for the Ministerial Review and final gazettal version of the planning scheme. Anomalies occurred at that time and relate primarily to how some of the data elements were symbolised and displayed on the face of the mapping and in the map legends. These data presentation issues were not identified prior to commencement of the planning scheme and therefore need to be corrected via a planning scheme amendment.</p>
Amend the relevant priority infrastructure network maps in Schedule 3 to include the new infrastructure projects and delete the existing infrastructure project referenced under the Part 4 (Priority infrastructure plan) sub-heading of this table.	To reflect the amendments to the trunk infrastructure projects (new projects and removal of existing projects) referred to earlier in this table.
Amend the alignment of the South Coolum – Stage 2 Toolga St to Suncoast Beach Dr (R-28-001) shown on the Transport Network Maps PIPM9C(i) and PIPM11C(i) to reflect the correct alignment of this project.	<u>In response to submission:</u> The current map identifies this project within an existing road corridor which is not the intended alignment for this project.
Amend Priority Infrastructure Map – Transport Network (Council Active Transport Map) PIP Map PIPM45E (ii) to remove the “future regional pathway” along the waterway on the southern side of the 13 residential lots along Maloja Avenue, Caloundra.	To be consistent with the planning scheme provisions relating to this area in the Caloundra local plan area code.
Amend the relevant priority infrastructure network maps in Schedule 3 to remove all future trunk road alignments and future cycleways/pathways from within the Palmview Structure Plan Area.	To correct a mapping anomaly. These infrastructure items are addressed in the Palmview Structure Plan Infrastructure Agreement rather than through the priority infrastructure plan and therefore, should not have been identified in the priority infrastructure plan mapping.
Various minor amendments and refinements to the infrastructure network maps in Schedule 3.	<p>These amendments and refinements are necessary in order to:-</p> <ul style="list-style-type: none"> <li>• achieve consistency with guidelines;</li> </ul>

Amendment	Reason for amendment
	<ul style="list-style-type: none"> <li>• achieve consistency with the trunk infrastructure future schedule of work;</li> <li>• correct minor data errors; and</li> <li>• improve map legibility.</li> </ul>
<i>Consequential planning scheme amendments</i>	
Make any consequential amendments to the balance of the planning scheme to give effect to the proposed amendments listed above.	To ensure that any other consequential amendments to the planning scheme are undertaken to give effect to the proposed amendments listed above.

## 7. Compliance with the Sustainable Planning Act 2009

The *Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment) No. 4* has been prepared in accordance with:-

- (a) Chapter 3, Part 5 (Making, amending or repealing local planning instruments) of the *Sustainable Planning Act 2009*;
- (b) *Statutory guideline 03/14: Local government infrastructure plans* as at 12 June 2014; and
- (c) *Statutory guideline 04/14: Making and amending local planning instruments* as at 9 October 2014.

## 8. Consultation with government agencies

In relation to preparing the *Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment) No. 4* and in accordance with *Statutory guideline 04/14: Making and amending local planning instruments*, Council is required to consult with:-

- (a) the relevant State agency about transport matters only to the extent the agency may be affected by the proposed amendment;

Comment: No consultation has been undertaken with the relevant State agency (i.e. Department of Transport and Main Roads) as there is no effect upon the agency by the proposed amendment; and

- (b) Unitywater about water and wastewater services for the area only to the extent Unitywater may be affected by the proposed amendment;

Comment: Council has undertaken consultation with Unitywater in relation to the development of its Netserv Plan. Unitywater's Netserv Plan relates to Unitywater's infrastructure planning and charging requirements and therefore any provisions contained in the existing priority infrastructure plan relating to water supply and sewerage are now redundant.

## 9. Local Government Infrastructure Plan compliance checks

In accordance with *Statutory guideline 04/14: Making and amending local planning instruments*, a compliance check was not required in respect of the *Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment) No. 4*.

## 10. Public consultation

Formal public consultation was undertaken in respect of the *Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment) No. 4* for a period of 30 business days from 14 September until 26 October 2015, in accordance with *Statutory guideline 04/14: Making and amending local planning instruments*.

## 11. Consideration of submissions

One (1) properly made submission was received during the public consultation period, which resulted in modifications to the advertised version of the proposed planning scheme amendment. These modifications do not result in changes to the advertised version which are significantly different and therefore does not require re-notification of the planning scheme amendment.

The following is a summary of the modifications made in response to the submission.

<b>Modifications in response to submissions</b>
The total estimates for Table T1.1 - Road Network Schedule (2011-2031); Table T1.2 - Road Network Schedule (Post 2031); and Table CP1.1 – Public Parks Network Schedule (2011-2031) have been amended to correctly total the items in the schedule.
The alignment of the South Coolool – Stage 2 Toolga St to Suncoast Beach Dr (R-28-001) shown on the Transport Network Maps PIPM9C(i) and PIPM11C(i) has been amended to reflect the correct alignment of this project.

Council considered the properly made submission at the Special Meeting on 23 November 2015 and resolved to proceed with the planning scheme amendment, as modified in response to the submission (as detailed above) and to adopt the planning scheme amendment. The properly made submitter was advised in writing detailing how their submission was dealt with.

## 12. Background studies and reports

No additional background studies or reports have been prepared to inform the preparation of the *Sunshine Coast Planning Scheme 2014 (Transitional Interim Local Government Infrastructure Plan Amendment) No. 4*.