

## **Explanatory Memorandum**

# **Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6 – Pelican Waters Western Land and Regional Zoning Anomalies**

15 August 2016



**1. Short title**

The amendment instrument to which this explanatory memorandum relates is the *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6* relating to the Pelican Waters Western Land and Regional Zoning Anomalies.

**2. Type of local planning instrument**

The amendment to the *Sunshine Coast Planning 2014* constitutes a 'major amendment' in accordance with Section 2.3A.4 of *Statutory guideline 01/16: Making and amending local planning instruments*.

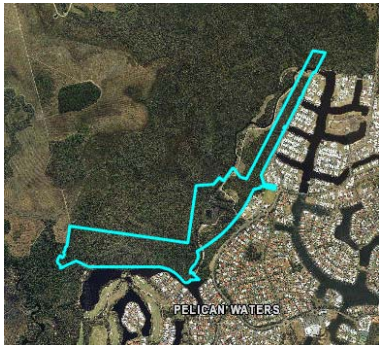

**3. Entity making the Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6**



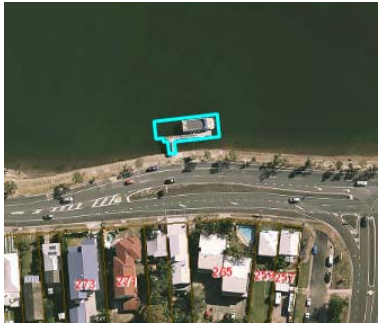


The entity making the *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6* is the Sunshine Coast Regional Council.






**4. Land affected by the Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6**

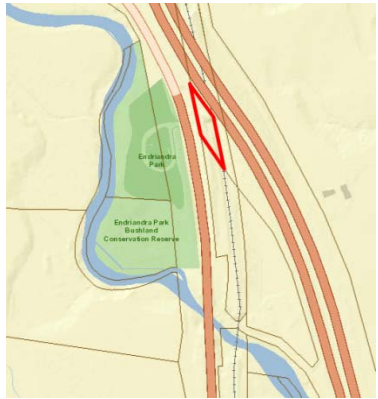
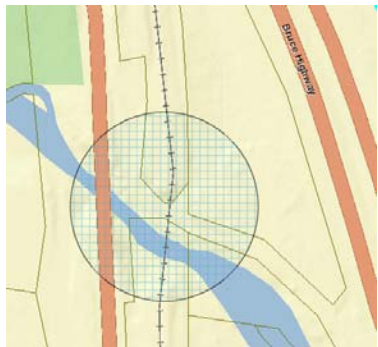



The *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6* affects the land described in **Table 4.1**.





**Table 4.1 Land affected by the Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6**

Property Description	Address	Ownership Category	Map of Subject Land
Part of former Lot 971 SP259001 (now Lot 973 on SP278711 and Lot 974 on SP278711)	Tweddell Drive, Pelican Waters	Private	
Lot 604 SP208094	Tweddell Drive, Pelican Waters	Council	

Property Description	Address	Ownership Category	Map of Subject Land
Part of Lot 960 SP235743	25 Tweddell Drive, Pelican Waters	State	
Part of Lot 6 SP147357	Ocean Drive, Twin Waters	Council	
Lot 6 SP160873	Bradman Avenue, Maroochydore	Private	
Part of Lot 9991 SP272039	Bellvista Boulevard, Caloundra West	Private	
Lot 16 SP242411	85 Memorial Drive, Eumundi	Private	

Property Description	Address	Ownership Category	Map of Subject Land
Lot 0 SP231599	2 Pavillion Drive, Peregian Springs	Private	
Lot 3 RP93586	South Coolum Road, Coolum Beach	Council	
Lot 100 SP100138	Steve Irwin Way, Landsborough	Council	
Lot 1 AP6770	Main Street, Montville	State	
Lot 4 SP177956	The Shay, Delicia Road, Mapleton	State	

Property Description	Address	Ownership Category	Map of Subject Land
Part of Road Reserve	Bridges North Arm, Yandina	State	
Part of Road Reserve	Bridges North Arm	State	
Part of Road Reserve	Beerwah	State	
Part of Road Reserve	Blackall Range, Woombye	State	
Part of Road Reserve	Taintons Road, Woombye	State	

Property Description	Address	Ownership Category	Map of Subject Land
Part of Road Reserve	Palmwoods	State	
Lot 6 RP884069, Lot 341 RP841560 and Lot 340 RP841560	37,38 & 40 Glen Kyle Drive, Buderim	Private	
Lot 4 SP229849	8 Osprey Street, Caloundra	Private	
Part of Lot 1037 CG6231	48-52 School Road, Bli Bli	Council	

## 5. Purpose of the Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6

The purpose of the *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6* is to:

- (a) amend the zoning of:
- part of former Lot 971 on SP259001 (now Lot 973 on SP278711) and part of Lot 960 on SP235743, located at Tweddell Drive, Pelican Waters, from the Environmental management and conservation zone to the Open space zone, including consequential mapping changes;
  - part of former Lot 971 on SP259001 (now Lot 974 on SP278711), located at Tweddell Drive, Pelican Waters, from the Environmental management and conservation zone to the Community facilities zone, including consequential mapping changes;

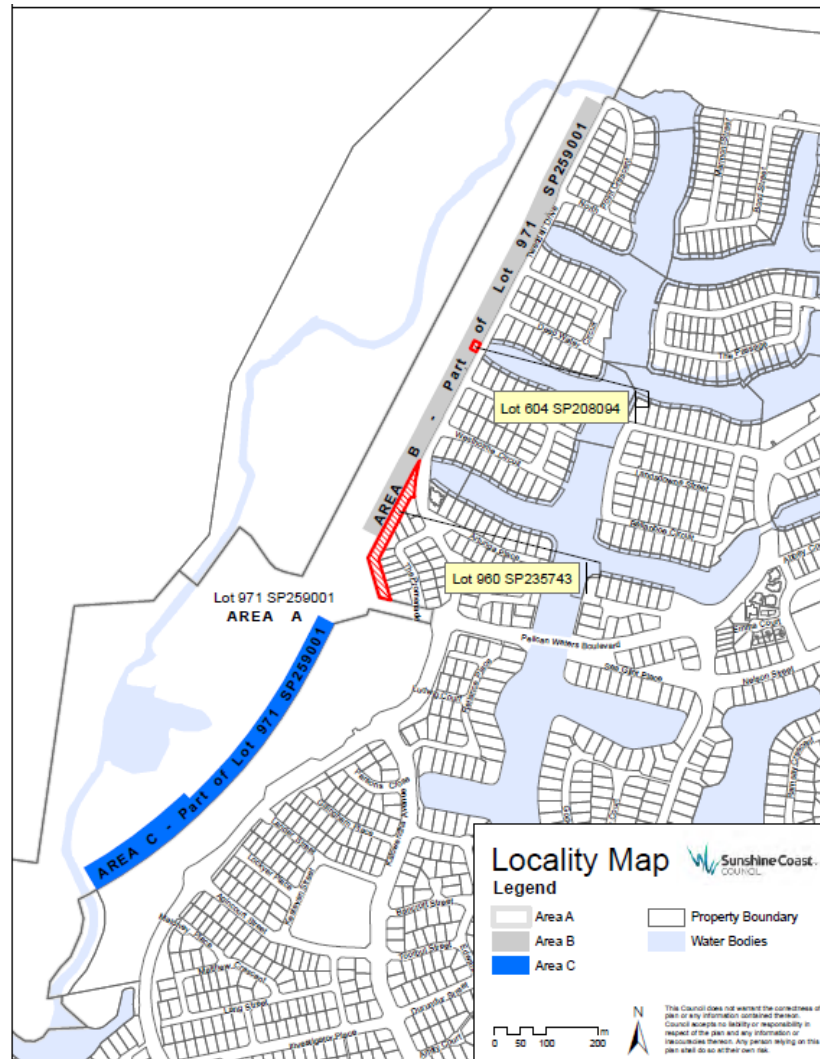
- Lot 604 on SP208094, located at Tweddell Drive, Pelican Waters, from the Environmental management and conservation zone to the Community facilities zone, with a Utility installation (Local utility) annotation, to reflect the current use of the land for sewerage purposes;
- (b) amend the zoning of part of Lot 1037 on CG6231, located at 48-52 School Road, Bli Bli, from the Community facilities zone to the Low density residential zone to better reflect the desired future use of this land; and
- (c) correct zoning and building height anomalies for a small number of sites located in other parts of the planning scheme area, to better reflect the approved and/or developed land use for these sites.

## 6. Reasons for the Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6

Council has prepared the *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6* for the following reasons:

- (a) To respond to Condition 30 of the Court Judgment for Appeal No. 944 of 2014 (Pelican Waters Heart Pty Ltd) and Section 3.4 of the Infrastructure Deed relating to Development Permit for Reconfiguring a Lot (REC 13/0121) and Operational Works (OPW 13/0742), which requires:
- a. the transfer of part of former Lot 971 SP259001 (now Lot 975 on SP278711) (referred to as 'Area A' in **Figure 1: Locality Map**) to Council as Ecological Parkland;
  - b. part of former Lot 971 SP259001 (now Lot 973 on SP278711) (referred to 'Area B' in **Figure 1: Locality Map**) to be rezoned to a zone that is consistent with its development for low density residential purposes; and
  - c. part of former Lot 971 SP259001 (now Lot 974 on SP278711) (referred to 'Area C' in **Figure 1: Locality Map**) to be rezoned to a zone that is consistent with its development for community facilities.

Figure 1: Locality Map



Refer to **Appendix 1: Background on the Pelican Waters Western Land.**

The amendment amends the zoning of:

- 'Area B' on former Lot 971 on SP259001 (now Lot 973 on SP278711) and part of Lot 960 SP235743 (refer to **Figure 1: Locality Map**) in accordance with Ministerial conditions (refer **Section 11** of this Explanatory Memorandum for further details);
- 'Area C' on former Lot 971 on SP259001 (now Lot 974 on SP278711) (refer to **Figure 1: Locality Map**) in accordance with Condition 30 of the Court Judgment and Section 3.4 of the Infrastructure Deed; and
- Lot 604 SP208094 (refer to **Figure 1: Locality Map**) to reflect the current use of the land for sewerage purposes.

The amendment also includes consequential planning scheme amendments to other parts of the planning scheme, including the Strategic Framework Maps, Transport and parking code figures and Figure 7.2.13A (Golden Beach/Pelican Waters Local Plan Elements), to reflect the zoning changes.

- (b) To better reflect the desired future land use of part of Lot 1037 on CG623, located at 48-52 School Road, Bli Bli, for residential purposes. It is noted that on 13 April 2015, Council issued a Development Permit (REC15/0005) to Reconfigure a Lot (1 Lot into 3 Lots) in relation to the subject land.



- (c) To correct a total of 17 mapping anomalies identified post-commencement of the planning scheme and to improve the consistency and operation of the planning scheme. The majority of these mapping anomalies are lots identified without a zone allocation on the relevant zone map and, in some cases, also without a height allocation on the relevant height of buildings and structures overlay map. Most of these occur on government owned land (State or local). Three of the zoning anomalies relate to incorrect zoning allocations. The amendment allocates a zone that is consistent with the existing use of the land and in some cases a maximum building height that is consistent with adjoining building height allocations.

**Appendix 2 – Details of the Planning Scheme Amendment**, includes a description of the sites and further details of the planning scheme amendment.

## 7. Details of the Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6

The *Sunshine Coast Planning Scheme 2014 (Major Amendment) No 6*:

- (a) amends the zoning of part of former Lot 971 SP259001 (now Lot 973 on SP278711) (identified as 'Area B') from the Environmental management and conservation zone to the Open space zone;
- (b) amends the zoning of part of former Lot 971 SP259001 (now Lot 974 on SP278711) (identified as 'Area C') from the Environmental management and conservation zone to the Community facilities zone;
- (c) amends the zoning of Lot 604 SP208094 from the Environmental management and conservation zone to the Community facilities zone with a Utility installation (Local utility) annotation;
- (d) amends the zoning of part of Lot 960 SP235743 from the Environmental management and conservation zone to the Open space zone;
- (e) amends the Urban Growth Management Boundary and Urban Area identified on various planning scheme maps to include the proposed 'Area B' and 'Area C' on part of former Lot 971 SP259001 (now Lot 973 on SP278711 and Lot 974 on SP278711) and the adjoining lots (Lot 604 SP208094 and part of Lot 960 SP235743) within the Urban Growth Management Boundary and Urban Area;
- (f) amends Figure 7.2.13 (Golden Beach/Pelican Waters Local Plan Elements) to remove the 'greenspace' over the proposed 'Area C' on former Lot 971 SP259001 (now Lot 974 on SP278711) and Lot 604 SP208094 and include as a Community Activity/Facility;
- (g) amends the zoning of part of Lot 1037 on CG6231, located at 48-52 School Road, Bli Bli, from the Community facilities zone to the Low density residential zone; and
- (h) corrects site specific zoning anomalies and height of building and structures overlay map anomalies in other parts of the planning scheme area.

**Appendix 2 – Details of the Planning Scheme Amendment** provides further details of the planning scheme amendment.

## 8. Compliance with the Sustainable Planning Act 2009

The *Sunshine Coast Planning Scheme 2014* complies with the purpose and Section 88 (Key elements of planning scheme) of the *Sustainable Planning Act 2009*. In particular the *Sunshine Coast Planning Scheme 2014* appropriately reflects the standard planning scheme provisions in version 3.0 of the Queensland Planning Provisions and coordinates and integrates State and regional matters through compliance with State planning instruments. The *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6* does not materially affect this compliance.

The *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6* has been prepared in accordance with:

- (a) Part 5 (Making, amending or repealing local planning instruments) of the *Sustainable Planning Act 2009*; and
- (b) *Statutory guideline 01/16: Making and amending local planning instruments*.

## 9. Compliance with State planning instruments

At the time of the gazettal of the *Sunshine Coast Planning Scheme 2014* in May 2014, the Minister identified that the *South East Queensland Regional Plan 2009-2031* and the *State Planning Policy* were appropriately reflected in the planning scheme. The *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6* does not adversely affect the planning scheme's compliance with State planning instruments and supports the state interests for the following reasons:-

State Interest	Summary of Compliance
<b>Planning for liveable communities and housing</b>	The amendment to the zoning of the Pelican Waters Western Land facilitates the provision of additional open space and community land uses that maximises existing infrastructure and services.
<b>Planning for economic growth</b>	The amendment does not impact on good quality agricultural land, mining or extractive resources.
	The amendment allocates zoning and building height to land that appropriately reflects existing or preferred land uses.
	The amendment does not impact on existing or potential tourism opportunities.
<b>Planning for the environment and heritage</b>	<p>The amendment does not impact on:-</p> <ul style="list-style-type: none"> <li>coastal processes and resources,</li> <li>places and areas of cultural heritage significance; and</li> <li>the environmental values and quality of water.</li> </ul> <p>The amendment relating to the Pelican Waters Western Land does relate to land identified as containing matters of state environmental significance. These matters have been considered as part of the state interest review process.</p>
<b>Planning for safety and resilience to hazards</b>	The amendment does not affect existing planning scheme provisions relating to emissions and hazardous activities, flooding, bushfire, landslide or coastal hazards.
<b>Planning for infrastructure</b>	The amendment does not impact on the provision and operation of electricity and water supply infrastructure.
	The amendment relating to the Pelican Waters Western Land includes part of former Lot 971 on SP259001 ('Area B') (now Lot 973 on SP278711) and part of Lot 960 on SP235743 in the Open space zone, in accordance with the Minister's conditions to protect State transport infrastructure.
	The amendment includes a small number of land parcels which form part of state transport infrastructure, which are currently unzoned. The amendment seeks to allocate a zone that reflects the current use of the land and continues to protect this land for state transport infrastructure.
	The amendment does not impact on the operation of strategic airports and aviation facilities.

## 10. Consultation with government agencies

During the early stages of preparation of the *Sunshine Coast Planning Scheme 2014 (Major Amendment) No.6*, Council met with representatives from the former Department of State Development, Infrastructure and Planning (DSDIP), Regional Services – SEQ (North) on the 30 October 2014 and 23 September 2014, to discuss the content of the proposed amendment and likely state interests.

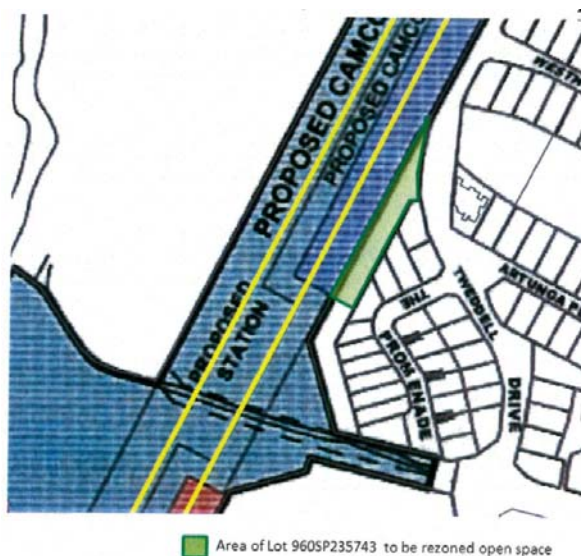
In accordance with the *Sustainable Planning Act 2009* and *Statutory guideline 04/14: Making and amending local planning instruments*, Council sent a copy of the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)* to the former Minister for State Development, Infrastructure and Planning on 19 December 2014, for consideration of State interests and to seek approval for Council to proceed to public consultation.

On 26 June 2015, Council received approval from the Minister for Infrastructure, Local Government and Planning (the Planning Minister) to proceed to public notification subject to compliance with the following Ministerial conditions.

### 1. State Planning Policy

#### State Transport Infrastructure

- 1.1 Prior to commencing public consultation, change the proposed zoning of Area B on Lot 971SP259001 from Low Density Residential Zone to Open Space Zone.
- 1.2 Prior to commencing public consultation, change the proposed zoning of part Lot 960SP235743 from Low Density Residential Zone to Open Space Zone for the extent of the lot contiguous to Area B, generally in accordance with the map below.



The proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)*, incorporating the Minister's conditions, was placed on public consultation from Monday 31 August 2015 to Monday 12 October 2015. Following the consideration of submissions received during the public consultation period, Council at an Ordinary Meeting held on 28 January 2016 (Council resolution OM16/17), decided to proceed with the proposed planning scheme amendment, with no changes. Council also resolved to delegate authority to the Chief Executive Officer to make all decisions to progress the proposed planning scheme amendment.

In accordance with Council's resolution OM16/17, the proposed planning scheme amendment was forwarded to the Planning Minister on 24 February 2016, for approval for Council to adopt. On 15 July 2016, Council received approval from the Planning Minister, to adopt the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)*.

## 11. Compliance with State imposed conditions

The Council has complied with the above Ministerial conditions by undertaking the following modifications to the proposed amendment:

- (a) the proposed zoning of part of former Lot 971 SP259001 (identified as 'Area B') (now Lot 973 on SP278711) has been amended to the Open space zone;
- (b) the proposed zoning of part of Lot 960 SP235743 has been amended to the Open space zone; and
- (c) Figure 7.2.13 (Golden Beach/Pelican Waters Local Plan Elements) has been amended to identify 'greenspace' over the proposed 'Area B' of part of former Lot 971 SP259001 (now Lot 973 on SP278711) and part of Lot 960 SP235743.

## 12. Public consultation

In accordance with *Statutory Guideline 01/16: Making and amending local planning instruments*, Council must undertake public consultation during Stage 3 of the process for making a planning scheme 'major' amendment.

On 26 June 2015, Council received approval from the Planning Minister to proceed to public notification subject to compliance with the Ministerial conditions (refer to **Section 10**). The proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)* was on public display from Monday 31 August 2015 to Monday 12 October 2015. The consultation and communication strategy implemented during the public notification period involved the following:

- A public notice published in the Sunshine Coast Daily on Saturday 29 August 2015, on Council's website and in Council's administration building foyers at Caloundra, Nambour and Maroochydore;
- Copies of the proposed amendment and explanatory information (including information sheets) in relation to the proposed amendment published on Council's website and made available throughout the display period for viewing;
- Copies of the amendment and explanatory information in relation to the proposed amendment available at Council's customer service centres at Maroochydore, Caloundra and Nambour;
- Letters to all landowners with a property subject to the proposed amendment informing them of the proposed amendment and how to make a submission;
- Letters to landowners adjoining a property subject to the proposed amendment informing them of the proposed amendment; and
- In relation to the proposed Pelican Waters Western Land amendment, letters to landowners in the immediate surrounding area who may have an interest in the proposed amendment informing them of the proposed amendment.

## 13. Consideration of public submissions

A total of 31 properly made submissions were received in relation to the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)*. All of these submissions related to the proposed amendments for the Pelican Waters Western Land. Of these, 30 submissions opposed the proposed amendment and 1 submission was in support of the proposed amendment. Two of the submissions opposing the proposed amendment included petitions from local residents comprising a total of 197 signatories.

The majority of submissions primarily opposed the proposed change to 'Area B' (part of former Lot 971 SP259001) (now Lot 973 on SP278711) and part of Lot 960 SP235743 from the Environmental management and conservation zone to the Open space zone, and the proposed inclusion of this area in the urban growth management boundary. Some submitters also opposed the proposed inclusion of 'Area C' in the Community facilities zone. The main reasons for the objections included:

- Concern that the amendment would lead to future urban development, in particular housing development, in 'Area B';
- The area contains significant flora, fauna and other environmental values;
- Potential impacts on the recreational, scenic and amenity values of the area;
- Potential impacts on property values and lifestyle;
- Potential traffic and water quality impacts;
- The area provides a buffer to the Caloundra Aerodrome, CAMCOS corridor and proposed development at Caloundra South;
- Concern that the developer and council had misrepresented residents in relation to the future of the land; and
- There is no need for the development of the site for housing, particularly given the proposed Caloundra South development and other development areas in Pelican Waters.

In accordance with *Statutory Guideline 01/16: Making and amending local planning instruments*, following public consultation, Council considered every properly made submission about the proposed amendment. Individual responses were provided to each submission; however, a summary of consideration of the key issues raised by submitters is provided below.

The proposed amendment has been prepared in response to a legal obligation and the proposal to include 'Area B' in the Open space zone is as a result of a Ministerial condition, which Council was required to comply with prior to commencing public consultation on the proposed planning scheme amendment.

The concerns raised by the submitters primarily relate to environmental, amenity and other impacts of possible future urban development in 'Area B'. The Open space zone is a non-urban zone and is compatible with the environmental values of 'Area B'. The proposed Open space zone and the proposed inclusion of this area within the urban growth management boundary does not provide or imply any entitlement for urban development. Any proposal for future urban development in 'Area B' would need to be subject to a separate planning scheme amendment process to include the land in an urban zone, or an impact assessable development application, both of which require further community consultation.

The inclusion of 'Area C' in the Community facilities zone reflects the intention for this land to be gifted to the Caloundra City Private School.

Any future development proposal in 'Area B' or 'Area C' would also be required to address relevant local and State planning and environmental requirements including the Sunshine Coast Planning Scheme's Biodiversity, waterways and wetlands overlay code, which includes requirements for detailed ecological assessment and reporting.

It should also be noted that the Infrastructure Deed and Court Judgment which led to the proposed planning scheme amendment will result in the transfer of approximately 64 hectares of land ('Area A') into Council ownership for environmental purposes, which is a substantial community benefit.

No changes to the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)* occurred as a result of the submissions.

## **14. Background studies and reports**

No additional background studies or reports have been prepared to inform the preparation of the *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. 6*.

**Appendix 1: Background on the Pelican Waters Western Land**

**Appendix 2: Details of the Planning Scheme Amendment**

## Appendix 1: Background on the Pelican Waters Western Land

On 13 March 2014, Council approved an application, subject to conditions, for a Development Permit for Reconfiguring a Lot (REC 13/0121) for 7 'Superlots', 1 Lot into 243 Residential Lots and 1 Park Lot, and a Development Permit for Operational Works (OPW 13/0742 Bulk Earthworks) on land referred to as the Pelican Waters Southern Lakes (Lot 813 SP229842) located at Bledisloe Boulevard, Pelican Waters (refer to **Figure 1: Location map**).

On 19 March 2014, an appeal was filed with the Planning and Environment Court by Pelican Waters Heart Pty Ltd (Appeal No. 944 of 2014) seeking that Condition 30 of the approval be deleted or modified to be relevant and not an unreasonable imposition on the development or use of the land as a consequence of the development.

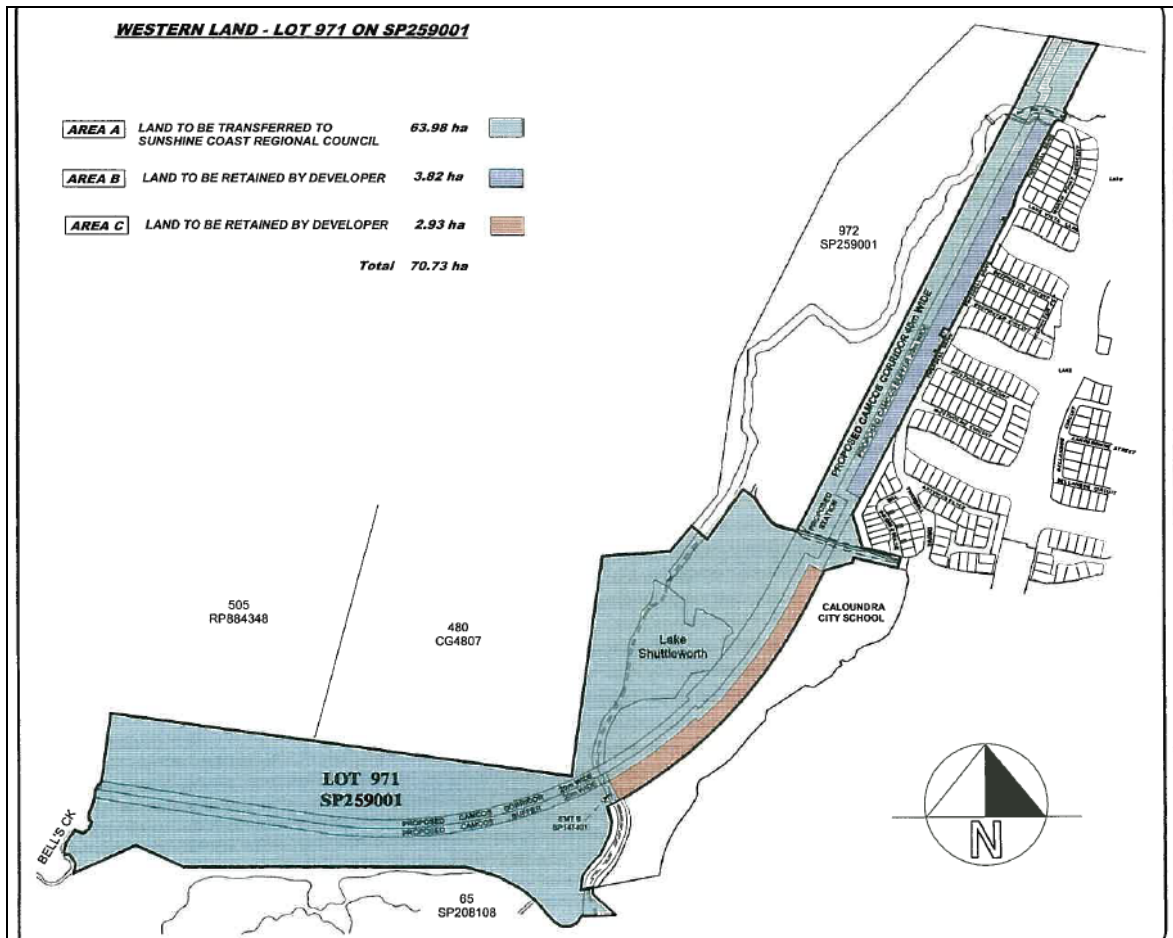
Condition 30 of the approval required the dedication of 103 hectares of land (Lot 969 SP255077, including proposed Lot 971 SP259001, located at Tweddell Drive, Pelican Waters) as Ecological Parkland to Council (refer to **Figure 1: Location map**).

**Figure 1: Location map**



The Appeal was resolved on 9 July 2014, by an amendment to Condition 30 and by entering into an infrastructure agreement (the Infrastructure Deed), which required the transfer of former Lot 971 SP259001 (referred to as 'Area A') (now Lot 975 on SP278711) to Council and for the owner to retain two parcels ('Area B' and 'Area C'), one of which is to be gifted to the adjacent Caloundra City Private School ('Area C'). Refer to **Figure 2: Pelican Waters Western Land Concept Plan for Lot 971 SP259001**.

Figure 2: Pelican Waters Western Land Concept Plan for Lot 971 SP259001



Condition 30 of the Court Judgment required that:-

*"The land shown on approved plan titled "Western Land – Lot 971 on SP259001" dated 11/06/14 and marked "Area A" (approximately 63.98 ha) shall be transferred to Council in fee simple at no cost to Council.*

*"Area A" shall be transferred to Council:*

- (a) *prior to the approval of a plan of subdivision for reconfiguring a lot to create the 200<sup>th</sup> lot at the Subject Site; or*
- (b) *at the time Sunshine Coast Planning Scheme 2014 is amended to include the land marked as "Area B" and "Area C" on plan titled "Western Land – Lot 971 on SP259001" dated 11/06/14 in another zone and the amended planning scheme has commenced,*

*whichever is the earlier.*

Section 3.4 of the Infrastructure Deed (dated 8 July 2014 relating to Development Permit REC 13/0121 and OPW 13/0742) outlined that:-

*"As part of the first policy round of amendments to the Sunshine Coast Planning Scheme 2014 (as distinct from administrative amendments), Council will use its best endeavours to change the zone of the "Area B" land to a zone that is consistent with its development for low density residential purposes and "Area C" land to a zone that is consistent with its development for community facilities, in accordance with the Sustainable Planning Act 2009 (and/or subsequent legislation).*

Council resolved in Confidential session at the Ordinary Meeting of Council, held on 16 October 2014, to make a major amendment to the *Sunshine Coast Planning Scheme 2014*, in relation to the Pelican Waters Western Land. This proposed amendment (referred to as the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)*) also included amendments to address a number of zoning anomalies identified in other parts of the planning scheme area and to amend the zoning of Lot 1037 on CG6231, Bli Bli.



In accordance with Condition 30 of the Court Judgment and Section 3.4 of the Infrastructure Deed relating to the Pelican Waters Western Land, the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)* amended the zoning of:

- part of former Lot 971 on SP259001 (identified as 'Area B') (now Lot 973 on SP278711) from the Environmental management and conservation zone to the Low density residential zone;
- part of former Lot 971 on SP259001 (identified as 'Area C') (now Lot 974 on SP278711) from the Environmental management and conservation zone to the Community facilities zone.

In response to the above zoning changes, the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)* also included:

- amendments to the zoning of part of the adjoining Lot 960 on SP235743, from the Environmental management and conservation zone to the Low density residential zone, to facilitate access to 'Area B';
- amendments to the zoning of Lot 604 on SP208094 from the Environmental management and conservation zone to the Community facilities zone with a Utility installation (Local Utility) annotation, to reflect the current use of the land for sewerage purposes; and
- consequential amendments to other parts of the planning scheme (e.g. Figure 7.2.13A (Golden Beach/Pelican Waters Local Plan Elements) and the Urban Growth Management Boundary).

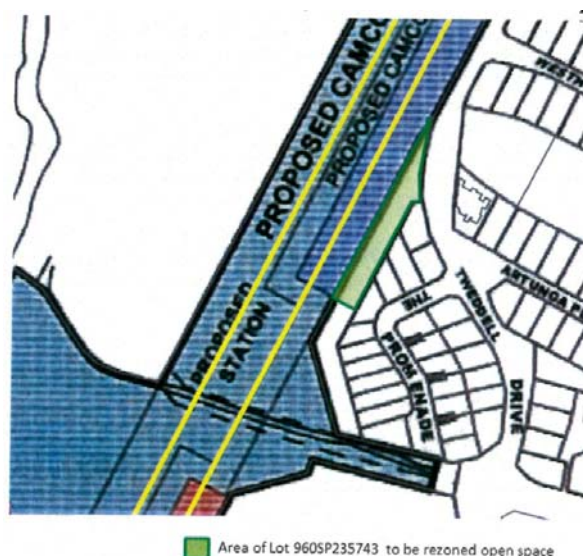
In accordance with the *Sustainable Planning Act 2009* and *Statutory guideline 04/14: Making and amending local planning instruments*, Council sent a copy of the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)*, relating to the Pelican Waters Western Land and Regional Zoning Anomalies, to the former Minister for State Development, Infrastructure and Planning on 19 December 2014, for consideration of State interests and to seek approval for Council to proceed to public consultation.

Following the consideration of State interests, Council on 26 June 2015 received approval from the Minister for Infrastructure, Local Government and Planning to proceed to public notification subject to compliance with the following Ministerial conditions:

### **1. State Planning Policy**


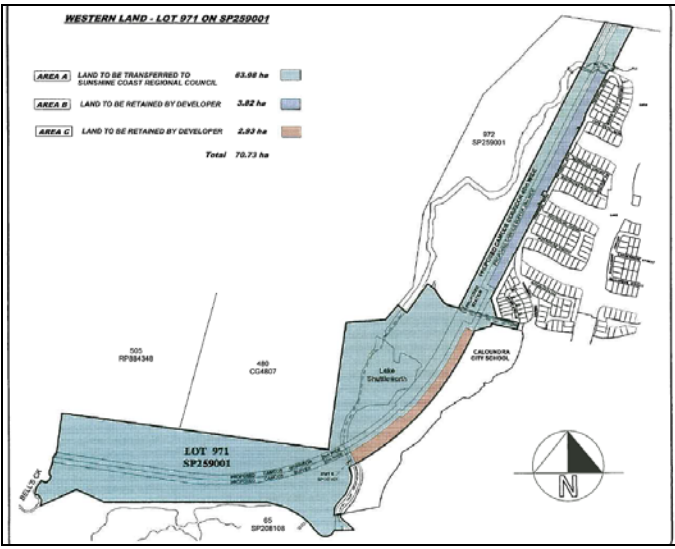
#### **State Transport Infrastructure**


- 1.3 Prior to commencing public consultation, change the proposed zoning of Area B on Lot 971SP259001 from Low Density Residential Zone to Open Space Zone.
- 1.4 Prior to commencing public consultation, change the proposed zoning of part Lot 960SP235743 from Low Density Residential Zone to Open Space Zone for the extent of the lot contiguous to Area B, generally in accordance with the map below.






In accordance with the Minister's letter, the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)*, relating to the Pelican Waters Western Land, was amended to comply with the above Ministerial conditions.


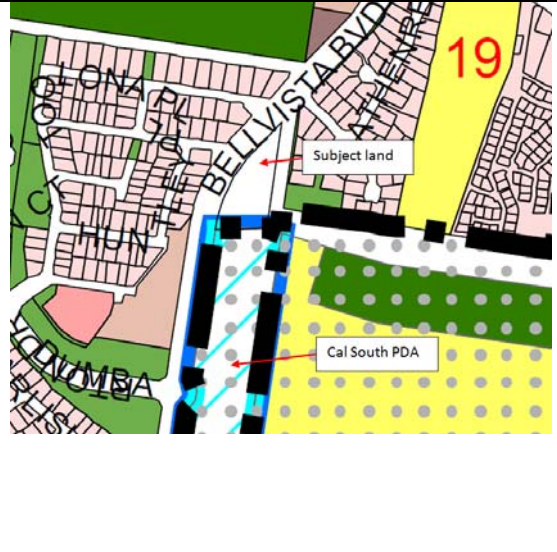
## Appendix 2: Details of the Planning Scheme Amendment



Property Description	Sunshine Coast Planning Scheme 2014 zoning	Summary	Proposed Amendment
<p>Part of former Lot 971 SP259001 (now Lot 973 on SP278711 and Lot 974 on SP278711)</p>		<p>Condition 30 of the Court Judgment for Appeal No. 944 of 2014 and Section 3.4 of the Infrastructure Deed relating to Development Permit for Reconfiguring a Lot (REC13/0121) and Operational Works (OPW13/0742) requires the transfer of part of former Lot 971 SP259001 (referred to as 'Area A') (now Lot 975 on SP278711) to Council and that 'Area B' is included in a zone that is consistent with its development for low density residential purposes and 'Area C' to a zone that is consistent with its development for community facilities.</p>	<p><b>It is proposed that:</b></p> <ul style="list-style-type: none"> <li>the zoning of part of former Lot 971 SP259001 ('Area B') (now Lot 973 on SP278711) is amended from the Environmental management and conservation zone to the Open space zone, in accordance with Ministerial conditions;</li> <li>the zoning of part of former Lot 971 SP259001 ('Area C') (now Lot 974 on SP278711) is amended from the Environmental management and conservation zone to the Community facilities zone, in accordance with Condition 30 of the Court Judgment of Appeal No. 944 of 2014 and Section 3.4 of the Infrastructure Deed relating to REC13/0121 and OPW13/0742; and</li> <li>consequential</li> </ul>
			
		<p>In accordance with the above, Council proposed to amend the zoning of</p> <ul style="list-style-type: none"> <li>part of former Lot 971 SP259001 ('Area B') (now Lot 973 on SP278711) from the Environmental management and conservation zone to Low density residential zone and</li> <li>part of former Lot 971 SP259001 ('Area C') (now Lot 974 on SP278711) from the Environmental management and conservation zone to the Community facilities zone.</li> </ul>	



Property Description	Sunshine Coast Planning Scheme 2014 zoning	Summary	Proposed Amendment
		<p>The proposed zoning changes also require consequential planning scheme amendments to other parts of the planning scheme, including the Strategic Framework Maps SFM1 to 4, Figure 7.2.13 (Golden Beach/Pelican Waters Local Plan Elements) and Transport and Parking Code Figures 9.4.8A, B(i), B(ii) and C.</p> <p>Following the consideration of State interests, Council received, on 26 June 2015, approval from the Planning Minister to proceed to public consultation subject to compliance with Ministerial conditions, which require:</p> <ul style="list-style-type: none"> <li>the proposed zoning of 'Area B' on former Lot 971 on SP259001 (<b>now Lot 973 on SP278711</b>) to be changed from the Low density residential zone to the Open space zone; and</li> <li>the proposed zoning of part of Lot 960 on SP235743 to be changed from the Low density residential zone to the Open space zone for the extent of the lot contiguous to 'Area B'.</li> </ul>	<p><b>planning scheme amendments are made to other parts of the planning scheme, particularly in relation to the Strategic Framework Maps, Figure 7.2.13 (Golden Beach/Pelican Waters Local Plan Elements) and the Transport and Parking Code Figures, to reflect the zoning changes.</b></p>
<p>Lot 604 SP208094</p>		<p>The subject land is approximately 246m<sup>2</sup> in area and is included in the Environmental management and conservation zone under the <i>Sunshine Coast Planning Scheme 2014</i>. The subject land is owned by Council, under the nomination of trust, and used for sewerage purposes. It is proposed to include the subject land in the Community facilities zone with a Utility installation (Local utility) annotation, to reflect the current use of the land.</p> <p>The proposed zoning changes also require consequential planning scheme amendments to other parts of the planning scheme.</p>	<p><b>It is proposed that:</b></p> <ul style="list-style-type: none"> <li><b>the zoning of Lot 604 SP208094 is amended from the Environmental management and conservation zone to the Community facilities zone with a Utility installation (Local utility) annotation, to reflect the current use of the land for sewerage purposes; and</b></li> <li><b>consequential planning scheme amendments are</b></li> </ul>

Property Description	Sunshine Coast Planning Scheme 2014 zoning	Summary	Proposed Amendment
			made to other parts of the planning scheme to reflect the zoning changes.
Lot 960 SP235743		<p>The subject land consists of a cleared strip of land, approximately 5,318m<sup>2</sup> in area, located between the south-eastern boundary of 'Area B' (described above) and the existing residential development along the western side of The Promenade. The subject land is under the ownership of the State of Queensland for buffer zone, under the control of Council as trustee, and is included in the Environmental management and conservation zone under the <i>Sunshine Coast Planning Scheme 2014</i>.</p> <p>In accordance with Ministerial conditions, received by Council on 26 June 2015, it is proposed to amend the zoning of part of Lot 960 on SP235743 from the Environmental management and conservation zone to the Open space zone for the extent of the lot contiguous to 'Area B' on Lot 971 SP259001. The remainder of the land is to be retained in the Environmental management and conservation zone.</p> <p>The proposed zoning change also requires consequential planning scheme amendments to other parts of the planning scheme.</p>	<p><b>It is proposed that:</b></p> <ul style="list-style-type: none"> <li>• <b>the zoning of part of Lot 960 SP235743 is amended from the Environmental management and conservation zone to the Open space zone, in accordance with Ministerial conditions; and</b></li> <li>• <b>consequential planning scheme amendments are made to other parts of the planning scheme to reflect the zoning change.</b></li> </ul>



Property Description	Sunshine Coast Planning Scheme 2014 zoning	Summary	Proposed Amendment
			
<p>Part of Lot 6 SP147357</p>		<p>The subject land is not zoned and does not have an allocated height limit category in the <i>Sunshine Coast Planning Scheme 2014</i> and was not zoned in the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012).</p> <p>The subject land is vegetated and used for drainage purposes.</p> <p>In similar instances land is included in the Open space zone where for drainage purposes.</p> <p>All adjoining land is within the 8.5m height category in the Height of buildings and structures overlay.</p>	<p><b>It is proposed that part of Lot 6 SP147357 is included in the Open space zone on Zone Map ZM21 (Maroochy North Shore Local Plan Area) and included in the 8.5m height category on the Height of buildings and structures overlay map (Overlay Map OVM21H).</b></p>

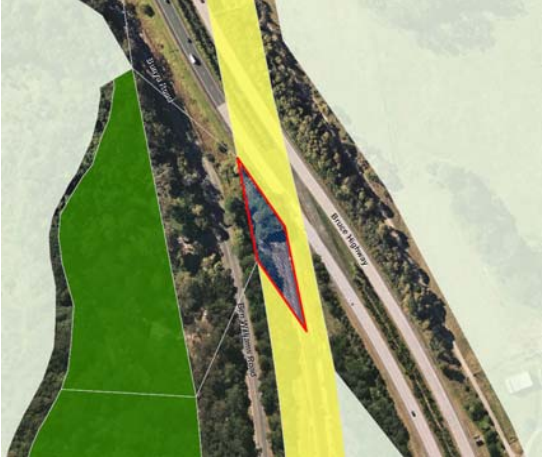

Property Description	Sunshine Coast Planning Scheme 2014 zoning	Summary	Proposed Amendment																																			
Lot 6 SP160873		<p>The subject land is not zoned and does not have an allocated height limit category in the <i>Sunshine Coast Planning Scheme 2014</i> and was not zoned in the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012)).</p> <p>A similar jetty lot (Lot 1 AP4082, 132-136 Duporth Avenue, Maroochydhore) is included in the Open space zone and has an 8.5m height limit on the Height of buildings and structures overlay.</p>	<p>It is proposed that Lot 6 SP160873 is included in the Open space zone on Zone Map ZM20 and included in the 8.5m height category on the Height of buildings and structures overlay map (Overlay Map OVM20H).</p>																																			
Part of Lot 9991 SP272039		<p>The subject land is not zoned in the <i>Sunshine Coast Planning Scheme 2014</i> and was not zoned in the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012)).</p> <p>The subject land is located outside of the Caloundra South Priority Development Area. In the Bellvista Master Plan, the land is identified in Precinct 4: Park / Sport &amp; Recreation.</p> <table border="1" data-bbox="904 957 1388 1276"> <caption>CALOUNDRA DOWNS - SECTION A - TABLE OF DEVELOPMENT</caption> <thead> <tr> <th>Column 1</th> <th>Column 2</th> <th>Column 3</th> <th>Column 4</th> <th>Column 5</th> </tr> <tr> <th>PRECINCT NUMBER</th> <th>COLOR OF PLANK OF DEVELOPMENT</th> <th>A PURPOSES FOR WHICH PREMISES MAY BE USED WITHOUT THE CONSENT OF COUNCIL</th> <th>B PURPOSES FOR WHICH PREMISES MAY BE USED SUBJECT TO SUCH CONDITIONS AS COUNCIL MAY IMPOSE</th> <th>PURPOSES FOR WHICH PREMISES MAY ONLY BE USED WITH THE CONSENT OF COUNCIL</th> <th>PROHIBITED PURPOSES</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>BLUE</td> <td>Duplex dwelling on lot not less than 850sqm and not greater than 1150sqm</td> <td>Duplex dwelling on lot not less than 850sqm but not less than 900sqm</td> <td>Accommodation building not exceeding two storeys</td> <td>Any purpose not referred to in Columns 3 or 4</td> </tr> <tr> <td>2</td> <td>RED</td> <td>Dwelling houses not less than 150sqm and not less than 150sqm and not greater than 150sqm</td> <td>Dwelling houses not less than 150sqm but not less than 200sqm which in conjunction with a Special Purpose of 2 (Special Purpose) are applicable to each such lot</td> <td>Display Hoses Duplex dwellings on lots less than 850sqm</td> <td></td> </tr> <tr> <td>3</td> <td>BEIGE</td> <td>Park</td> <td>Public Open Space Public Open Space</td> <td>Place of Worship Public Utilities Business Village Sport and Recreation General Uses</td> <td></td> </tr> <tr> <td>4</td> <td>MAROON</td> <td>Park Sport and Recreation</td> <td>Golf Driving Range</td> <td>Sports Entertainment Public Utilities Public Utilities</td> <td>Any purpose not referred to in Columns 3 or 4</td> </tr> </tbody> </table> <p>The land is included in the the 8.5m height category in the Height of</p>	Column 1	Column 2	Column 3	Column 4	Column 5	PRECINCT NUMBER	COLOR OF PLANK OF DEVELOPMENT	A PURPOSES FOR WHICH PREMISES MAY BE USED WITHOUT THE CONSENT OF COUNCIL	B PURPOSES FOR WHICH PREMISES MAY BE USED SUBJECT TO SUCH CONDITIONS AS COUNCIL MAY IMPOSE	PURPOSES FOR WHICH PREMISES MAY ONLY BE USED WITH THE CONSENT OF COUNCIL	PROHIBITED PURPOSES	1	BLUE	Duplex dwelling on lot not less than 850sqm and not greater than 1150sqm	Duplex dwelling on lot not less than 850sqm but not less than 900sqm	Accommodation building not exceeding two storeys	Any purpose not referred to in Columns 3 or 4	2	RED	Dwelling houses not less than 150sqm and not less than 150sqm and not greater than 150sqm	Dwelling houses not less than 150sqm but not less than 200sqm which in conjunction with a Special Purpose of 2 (Special Purpose) are applicable to each such lot	Display Hoses Duplex dwellings on lots less than 850sqm		3	BEIGE	Park	Public Open Space Public Open Space	Place of Worship Public Utilities Business Village Sport and Recreation General Uses		4	MAROON	Park Sport and Recreation	Golf Driving Range	Sports Entertainment Public Utilities Public Utilities	Any purpose not referred to in Columns 3 or 4	<p>It is proposed that part of Lot 9991 SP272039 is included in the Open space zone on Zone Map ZM44 (Caloundra West Local Plan Area).</p>
Column 1	Column 2	Column 3	Column 4	Column 5																																		
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Property Description	Sunshine Coast Planning Scheme 2014 zoning	Summary	Proposed Amendment
		buildings and structures overlay, as is the adjoining land.	
Lot 16 SP242411		<p>The subject land is not zoned and does not have an allocated height limit category in the <i>Sunshine Coast Planning Scheme 2014</i> and was not zoned in the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012)).</p> <p>The land is privately owned and forms part of Joe's Waterhole, which is located on the subject site. The adjoining land is included in the Local centre zone and in the 10m height category on the Height of buildings and structures overlay map.</p>	<p><b>It is proposed that Lot 16 SP242411 is included in the Local centre zone on Zone Map ZM3 (Eumundi Local Plan Area) and included in the 10m height category on the Height of buildings and structures overlay map (Overlay Map OVM3H).</b></p>
Part of Lot 0 SP231599		<p>The subject land is not zoned and does not have an allocated height limit category in the <i>Sunshine Coast Planning Scheme 2014</i> but was in the Low density residential zone in the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012)).</p> <p>The subject lot is "common property" and common property is generally zoned as per the total parcel/ adjoining land.</p> <p>All adjoining land is within the 8.5m height category on the Height of buildings and structures overlay.</p>	<p><b>It is proposed that part of Lot 0 SP231599 is included in the Low density residential zone on Zone Map ZM10 (Peregian South Local Plan Area) and included in the 8.5m height category on the Height of buildings and structures overlay map (Overlay Map OVM10H).</b></p>

Property Description	Sunshine Coast Planning Scheme 2014 zoning	Summary	Proposed Amendment
Lot 3 RP93586		<p>The subject land is not zoned and does not have an allocated height limit category in the <i>Sunshine Coast Planning Scheme 2014</i>. It was not zoned in the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012)).</p> <p>The land is owned by Council and bordered by road reserve. It is heavily vegetated and adjacent to Mt Coolum. All adjoining land is within the 8.5m height category in the Height of buildings and structures overlay.</p>	<p><b>It is proposed that Lot 3 RP93586 is included in the Environmental management and conservation zone on Zone Map ZM9 and included in the 8.5m height category on the Height of buildings and structures overlay map (Overlay Map OVM9H).</b></p>
Lot 100 SP100138		<p>The subject land is located along Steve Irwin Way and is unzoned and does not have an allocated height limit category in the <i>Sunshine Coast Planning Scheme 2014</i>. The lot was created as part of a rural residential subdivision for 9 lots and is shown on the survey plan as 'Public use land, open space buffer' and is owned by Council.</p> <p>All adjoining land is within the 8.5m height category in the Height of buildings and structures overlay.</p>	<p><b>It is proposed that Lot 100 SP100138 is included in the Open space zone on Zone Map ZM42 (Landsborough Local Plan Area) and included in the 8.5m height category on the Height of buildings and structures overlay map (Overlay Map OVM42H).</b></p>

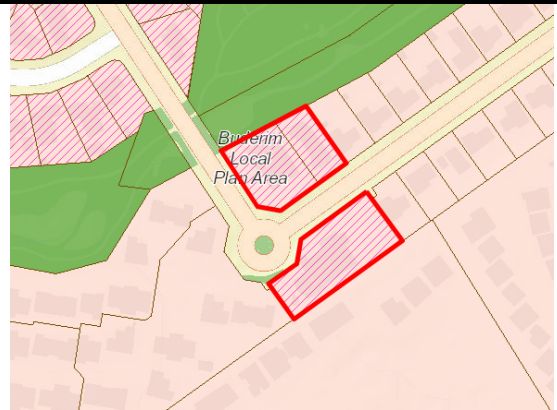



Property Description	Sunshine Coast Planning Scheme 2014 zoning	Summary	Proposed Amendment
Lot 1 AP6770		<p>The subject land is not zoned in the <i>Sunshine Coast Planning Scheme 2014</i> and the lot did not exist at the time of the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012)).</p> <p>The land is used for the Montville visitor information centre and surrounded by road reserve which is unzoned land. No height category is allocated under the <i>Sunshine Coast Planning Scheme 2014</i>. All adjoining land is within the 8.5m height category in the Height of buildings and structures overlay.</p>	<p><b>It is proposed that Lot 1 AP6770 is included in the Community facilities zone with Annotation 4 - Community Use on Zone Map ZM16 (Blackall Range Local Plan Area) and is included in the 8.5m height category on the Height of buildings and structures overlay map (Overlay Map OVM16H).</b></p>
Lot 4 SP177956		<p>The subject land is not zoned and does not have an allocated height limit category in the <i>Sunshine Coast Planning Scheme 2014</i>. The lot did not exist at the time of the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012)).</p> <p>The land is located on the corner of Delicia Road and Obi Obi Road and is not part of the road reserve. The vacant land is adjacent to open space land also owned by the State government.</p> <p>All adjoining land is within the 8.5m height category in the Height of buildings and structures overlay.</p>	<p><b>It is proposed that Lot 4 SP177956 is included in the Open space zone on Zone Map ZM16 (Blackall Range Local Plan Area) and included in the 8.5m height category on the Height of buildings and structures overlay map (Overlay Map OVM16H).</b></p>

Property Description	Sunshine Coast Planning Scheme 2014 zoning	Summary	Proposed Amendment
Part of road reserve – no individual lot		<p>The subject land is not zoned and does not have an allocated height limit category in the <i>Sunshine Coast Planning Scheme 2014</i> and was not zoned in the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012).</p> <p>The land is road reserve but traversed by the North Coast Rail Line. The North Coast Rail Line is included in the Community facilities zone, Annotation 20. Utility installation (Local utility).</p> <p>All adjoining land is within the 8.5m height category on the Height of buildings and structures overlay.</p>	<p><b>It is proposed that the subject land is included in the Community facilities zone with Annotation 20 - Utility installation (Local utility) on Zone Map ZM7 and included in the 8.5m height category on the Height of buildings and structures overlay map (Overlay Map OVM7H).</b></p>
Part of road reserve – no individual lot		<p>The subject land is not zoned and does not have an allocated height limit category in the <i>Sunshine Coast Planning Scheme 2014</i> and the lot did not exist at the time of the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012).</p> <p>The land is road reserve but traversed by the North Coast Rail Line. The North Coast Rail Line is included in the Community facilities zone, Annotation 20 - Utility installation (Local utility).</p> <p>All adjoining land is within the 8.5m height category on the Height of buildings and structures overlay.</p>	<p><b>It is proposed that the subject land is included in the Community facilities zone with Annotation 20 - Utility installation (Local utility) on Zone Map ZM7 and included in the 8.5m height category on the Height of buildings and structures overlay map (Overlay Map OVM7H).</b></p>

Property Description	Sunshine Coast Planning Scheme 2014 zoning	Summary	Proposed Amendment
Part of road reserve – no individual lot		<p>The subject land is not zoned and does not have an allocated height limit category in the <i>Sunshine Coast Planning Scheme 2014</i> and the lot did not exist at the time of the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012)).</p> <p>The land is road reserve but traversed by the North Coast Rail Line. The North Coast Rail Line is included in the Community facilities zone, Annotation 20 - Utility installation (Local utility).</p> <p>All adjoining land is within the 8.5m height category on the Height of buildings and structures overlay.</p>	<p><b>It is proposed that the subject land is included in the Community facilities zone with Annotation 20 - Utility installation (Local utility) on Zone Map ZM49 (Beerwah Local Plan Area) and included in the 8.5m height category on the Height of buildings and structures overlay map (Overlay Map OVM49H).</b></p>
Part of road reserve – no individual lot		<p>The subject land is not zoned and does not have an allocated height limit category in the <i>Sunshine Coast Planning Scheme 2014</i> and the lot did not exist at the time of the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012)).</p> <p>The land is road reserve but traversed by the North Coast Rail Line. The North Coast Rail Line is included in the Community facilities zone, Annotation 20 - Utility installation (Local utility).</p> <p>All adjoining land is within the 8.5m height category on the Height of buildings and structures overlay.</p>	<p><b>It is proposed that the subject land is included in the Community facilities zone with Annotation 20 - Utility installation (Local utility) on Zone Map ZM27 (Woombye Local Plan Area) and included in the 8.5m height category on the Height of buildings and structures overlay map (Overlay Map OVM27H).</b></p>

Property Description	Sunshine Coast Planning Scheme 2014 zoning	Summary	Proposed Amendment
Part of road reserve – no individual lot		<p>The subject land is not zoned and does not have an allocated height limit category in the <i>Sunshine Coast Planning Scheme 2014</i> and the lot did not exist at the time of the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012)).</p> <p>The land is road reserve but traversed by the North Coast Rail Line. The North Coast Rail Line is included in the Community facilities zone, Annotation 20 - Utility installation (Local utility).</p> <p>All adjoining land is within the 8.5m height category on the Height of buildings and structures overlay.</p>	<p><b>It is proposed that the subject land is included in the Community facilities zone with Annotation 20 - Utility installation (Local utility) on Zone Map ZM26 and included in the 8.5m height category on the Height of buildings and structures overlay map (Overlay Map OVM26).</b></p>
Part of road reserve – no individual lot		<p>The subject land is not zoned and does not have an allocated height limit category in the <i>Sunshine Coast Planning Scheme 2014</i> and the lot did not exist at the time of the Draft Sunshine Coast Planning Scheme (Public notification version - October (2012)).</p> <p>The land is road reserve but traversed by the North Coast Rail Line. The North Coast Rail Line is included in the Community facilities zone, Annotation 20 - Utility installation (Local utility).</p> <p>All adjoining land is within the 8.5m height category on the Height of buildings and structures overlay.</p>	<p><b>It is proposed that the subject land is included in the Community facilities zone with Annotation 20 - Utility installation (Local utility) on Zone Map ZM28 (Palmwoods Local Plan Area) and included in the 8.5m height category on the Height of buildings and structures overlay map (Overlay Map OVM28).</b></p>

Property Description	Sunshine Coast Planning Scheme 2014 zoning	Summary	Proposed Amendment
Lot 6 RP884069, Lot 341 RP841560 and Lot 340 RP841560		<p>The subject sites are included in the Low density residential zone and Precinct LDR1 (Protected Housing Area) in the <i>Sunshine Coast Planning Scheme 2014</i>.</p> <ul style="list-style-type: none"> <li>• Lot 6 RP884069 is currently developed for a child care centre.</li> <li>• Lot 341 RP841560 is currently developed for residential purposes.</li> <li>• Lot 340 RP841560 is currently developed as local shops.</li> </ul> <p>The inclusion of these lots in Precinct LDR1 (Protected Housing Area) appears to be an anomaly. It is therefore proposed that Precinct LDR1 (Protected Housing Area) is removed from the subject sites. It is also proposed to include Lot 340 RP841560 in the Local centre zone to reflect the current use of the land. Lot 6 RP884069 and Lot 341 RP841560 are proposed to be retained in the Low density residential zone.</p>	<p><b>It is proposed that Precinct LDR1 (Protected Housing Area) is removed from Lot 6 RP884069, Lot 341 RP841560 and Lot 340 RP841560 on Zone Map ZM32 and that Lot 340 RP841560 is included in the Local centre zone to reflect the current use of the land.</b></p>
Lot 4 SP229849		<p>The subject lot is included in the Community facilities zone in the <i>Sunshine Coast Planning Scheme 2014</i>. The lot was approved as part of a residential subdivision in 2010. The Uniting Church intended to retain two lots for community use purposes and sell off the residual adjoining two lots (Lot 3 and 4 SP229849). Lot 3 is included in the Medium density residential zone in the <i>Sunshine Coast Planning Scheme 2014</i> and Lot 4 included in the Community facilities zone. The current zoning for Lot 4 is inconsistent with the development approval.</p>	<p><b>It is proposed that Lot 4 SP229849 is included in the Medium density residential zone on Zone Map ZM45 (Caloundra Local Plan Area).</b></p>

**Property Description**

**Sunshine Coast Planning Scheme 2014 zoning**

**Summary**

**Proposed Amendment**

Lot 1037  
CG6231



The subject site (known as the Bli Bli School House) is currently included in the Community facilities zone under the *Sunshine Coast Planning Scheme 2014*.

It is proposed that the western part of the subject site, which is undeveloped and relatively cleared of vegetation and has potential for further subdivision, is included in the Low density residential zone to be consistent with the previous land use designation of Neighbourhood Residential under the superseded Maroochy Plan 2000. The remainder of the site, which includes the Bli Bli School house, is proposed to be retained in the Community facilities zone.

It is noted, that on 13 April 2015, Council issued a Development Permit to Reconfigure a Lot (1 Lot into 3 Lots) (REC15/0005) in relation to the subject land. A copy of the approved plan is provided below.

**It is proposed that the western part of Lot 1037 CG6231 is included in the Low density residential zone, with the remainder of the site retained in the Community facilities zone.**

