

DETAILED ASSESSMENT REPORT

DEVELOPMENT SERVICES



Link to
Development.i:

<https://developmenti.sunshinecoast.qld.gov.au/Home/FilterDirect?filters=BANumber=DBW20/0092&IncludeDA=false&IncludeBA=true>

SUMMARY SHEET	
Applicant:	Adams & Sparkes Town Planning
Owner:	Philip Parker Pty Ltd
Consultant:	Adams & Sparkes Town Planning
Proposal:	Development Permit for Building Works assessable against the Planning Scheme (30m Flagpole)
Properly Made Date:	02/07/2020
Information Request Date:	Not Applicable
Information Response Received Date:	Not Applicable
Decision Due Date:	21/10/2020
Number of Properly Made Submissions:	Nil (0)
PROPERTY DETAILS	
Division:	4
Property Address:	74 Sugar Rd MAROOCHYDORE
RP Description:	Lot 2 RP 208910
Land Area:	10,170m ²
Existing Use of Land:	Self-Storage Facility
STATUTORY DETAILS	
Planning Scheme:	<i>Sunshine Coast Planning Scheme 2014 (28 January 2020)</i>
SEQRP Designation:	Urban Footprint
Strategic Framework Land Use Category:	Urban
Local Plan Area:	Maroochydore/Kuluin Local Plan Area
Zone:	Specialised Centre Zone
Assessment Type:	Impact

PROPOSAL:

The application seeks approval for a Development Permit for Building Works for a flagpole on the premises of Storage Choice self-storage warehouse facility. The

proposed flagpole would have a vertical height of 30 metres relative to the finished ground level of the site and would fly an Australian Flag. The applicant proposes that the purpose of the Australian Flag is to represent the operation of an Australian owned and operated business. The applicant states that the proposed flagpole would not fly any advertising flags for the self-storage business on the site.

The base of the pole would have a width of approximately 1 metre, which tapers to approximately 0.4 metres at the top of the pole. The pole is proposed to be painted white and would be sited on the north-eastern side of the site at the entrance of the storage facility.

The applicant was requested to provide details of the proposed flag but has not provided any information regarding the size or operation of the flag including when it would be raised or lowered or if it would be permanently flown.

A copy of the proposal plans are provided below.

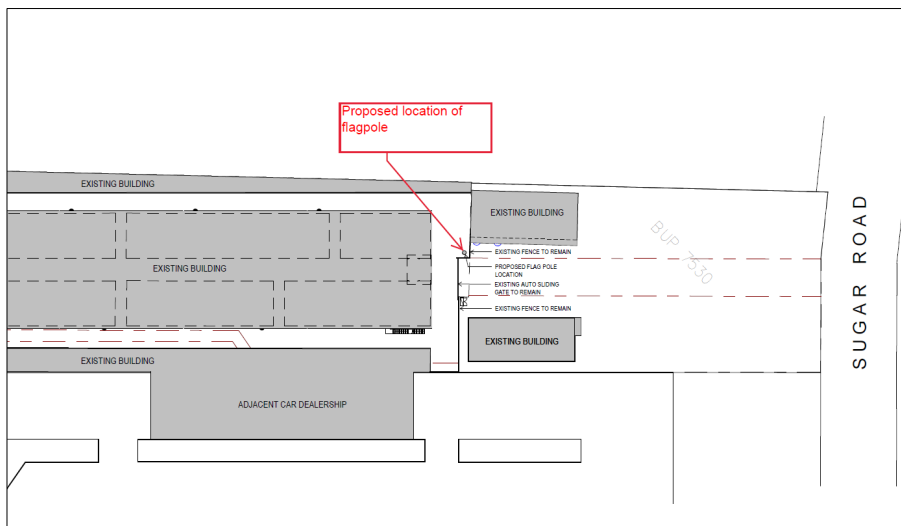


Figure 1 - Site plan (location of flagpole on the site)

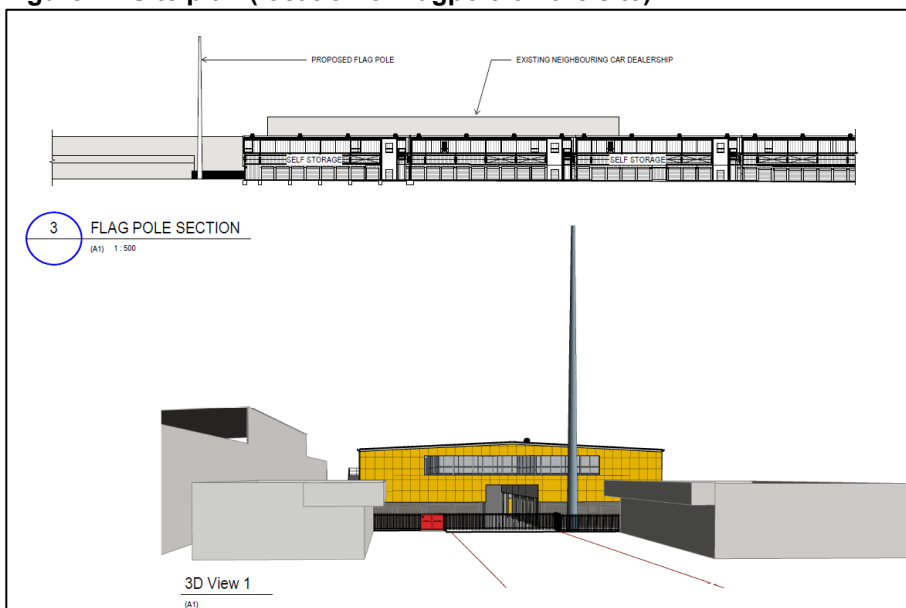


Figure 2 – Elevation plan

The applicant has provided the following grounds in support of the application:

- *The flagpole is not an Advertising Device and is not subject to a separate Operational Works application for Advertising Device. As the proposed flagpole is for the display of the Australian Flag, the proposed flagpole is excluded from this definition and is therefore not an advertising device.*
- *The flagpole only triggers assessment due to the structure is classed as building work over the 12 metre height limit.*
- *The location of the proposed flagpole is setback in the order of 95 metres from the Sugar Road frontage and approximately 208 metres from the Sunshine Motorway.*
- *The structure contains a width of approximately 1 metre at the base of the pole, which tapers to approximately 0.4 metres at the top of the pole. Due to the narrow nature of the pole, it is not expected that the pole will result in any adverse visual amenity impacts, with the development not resulting in overshadowing and overlooking impacts, which are typically associated with over height buildings and structures.*
- *It is also noted that the pole is proposed to be painted white, which will blend into the surrounding area/roof forms, particularly when viewed from vantage points such as Buderim and Alexandra Headland.*
- *The application was referred to the State given the proximity of the site to a State Controlled Road. The State approved the application with no conditions.*
- *There are multiple infrastructure elements throughout the Sunshine Coast, which contain building heights similar to that proposed. Particularly, it is noted that electrical and telecommunications infrastructure, as well as sports field lighting, can have structure heights of up to 50 metres and comply with the relevant planning scheme provisions. Both of the structures allowed under the overlay are of similar built form and have minimal impact on the visual amenity of the surrounding area.*
- *The proposed development is for a flagpole and does not contain a bulk and scale, which will result in adverse, or significant amenity impacts upon adjoining land uses, by way of privacy and overshadowing impacts.*
- *The proposal went through Public notification and received no objections from the community, and therefore it is reasonable to conclude that the proposal is in line with the community expectations for the area.*

The applicant provided a letter of support from its adjoining commercial operators. In addition, the applicant also supplied photos as a visual representation of what the structure might look like once erected. The applicant used a crane and Australian Flag and provided photos from various angles including aerial shots from drone height as shown below:



Figure 3 –Applicant supplied photo



Figure 4 –Applicant supplied photo

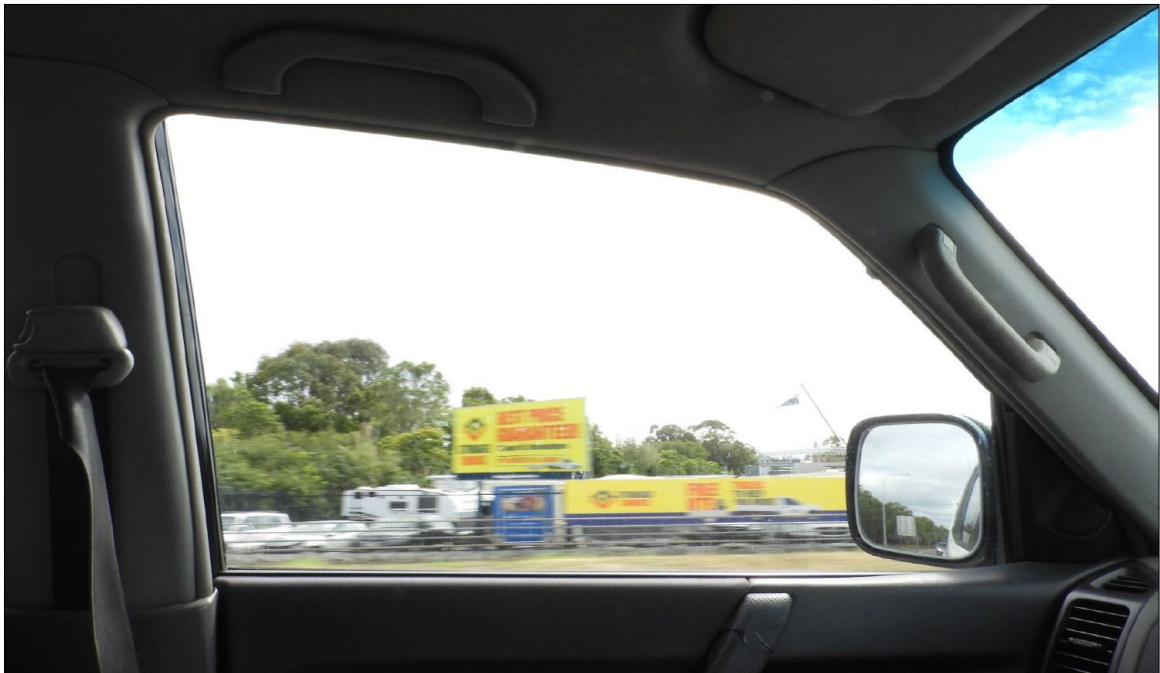


Figure 5 –Applicant supplied photo



Figure 6 –Applicant supplied photo



Figure 7 –Applicant supplied photo



Figure 8 –Applicant supplied photo



Figure 9 –Applicant supplied photo



Figure 10 –Applicant supplied photo



Figure 11 –Applicant supplied photo



Figure 12 –Applicant supplied photo



Figure 13 –Applicant supplied photo

SITE DETAILS:

Site Features and Location

SITE AND LOCALITY DESCRIPTION	
Land Area:	1.01ha
Existing Use of Land:	Self-storage warehouse facility (“Storage Choice”)
Road Frontage:	The site has a 57 metre frontage to Sunshine Motorway. Access to the business is obtained via an access easement over the adjoining lot at 72-76 Sugar Road. The site has no direct frontage to Sugar Road.
Topography:	The site is level.
Surrounding Land Uses:	The subject site is surrounded by commercial and industrial land uses to the south, and adjoins Council owned park land to the north. Development located on the eastern side of Sugar Road includes residential dwellings and the Sunshine Motorway is located directly to the west.

The location of the subject site in relation to its surrounds and a zoning map is shown below:

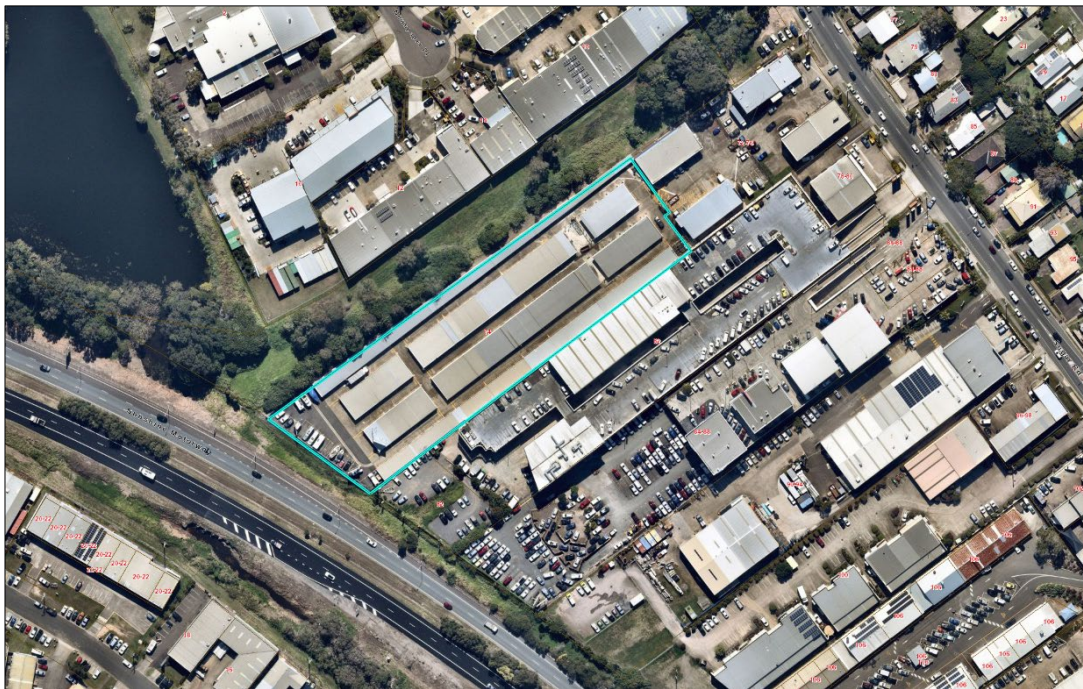


Figure 14 - Location plan



Figure 15 – Zoning map

Development History of Site

On 20 March 2020, Council issued a Development Permit for Material Change of Use of Premises to Establish an Extension to Existing Storage Facility (Warehouse). The approval allows an additional storey and an increase in gross floor area of 2,687m² of storage area. The expansion of the use is currently under construction. The application reference is MCU19/0287.

ASSESSMENT

Framework for Assessment

Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following categorising instruments may contain assessment benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any temporary local planning instrument
- any variation approval

Of these, the planning instruments relevant to this application are discussed in this report.

Assessment Benchmarks Related to the *Planning Regulation 2017*

The *Planning Regulation 2017* (the Regulation) prescribes assessment benchmarks that the application must be carried out against, which are additional or alternative to the assessment benchmarks contained in council's Planning Scheme. These assessment benchmarks may be contained within:

- the SEQ Regional Plan and Part E of the State Planning Policy, to the extent they are not appropriately integrated into the Planning Scheme; and
- Schedule 10 of the Regulation.

PLANNING REGULATION 2017 DETAILS	
Applicable Assessment Benchmarks:	<u>State Planning Policy</u> <ul style="list-style-type: none"> • Part E

State Planning Policy (SPP), Part E

The assessment benchmarks of the SPP Part E that are relevant to the development proposal do not vary the current provisions of the Planning Scheme.

Assessment Benchmarks Related to the Planning Scheme

The following sections relate to the provisions of the Planning Scheme.

PLANNING SCHEME DETAILS	
Planning Scheme:	<i>Sunshine Coast Planning Scheme 2014 (28 January 2020)</i>
Strategic Framework Land Use Category:	Urban
Local Plan Area:	Maroochydore/Kuluin Local Plan Area
Zone:	Specialised Centre Zone

Consistent/Inconsistent Use:	Not applicable.
Applicable Assessment Benchmarks:	<ul style="list-style-type: none"> • Strategic Framework • Maroochydore/Kulin local plan area code • Specialised centre zone code • Height of buildings and structure overlay code

Strategic Framework

The Strategic Framework is an Assessment Benchmark for Impact Assessable applications and considers the following matters:

- Settlement Pattern
- Economic Development
- Transport
- Infrastructure and Services
- Natural Environment
- Community Identity, Character and Social Inclusion
- Natural Resources
- Natural Hazards

The Strategic Framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs within the life of the planning scheme.

The site is identified as an Urban Area in the Strategic Framework of the *Sunshine Coast Planning Scheme 2014*, is located within the local growth management boundary and is intended to accommodate urban development.

The Strategic Framework contains several policy directions that are of direct relevance to the consideration of this application, as follows:-

Theme 6 – Community identity, character and social inclusion, Element 1 – Landscape elements and features (Specific outcomes) s.3.8.2.1

- (g) *Other views and vistas, including those identified in local plans or which are important in a local context are also protected, particularly from development which exceeds specified building heights.*

Theme 6 – Community identity, character and social inclusion, Element 2 – Sub-tropical character and locally responsive design (Specific outcomes) s.3.8.3.1

- (d) *The height of buildings and other structures recognises the distinctive character and amenity of the Sunshine Coast as a place with a predominantly low-medium rise built form which is intentionally distinct from other places in metropolitan South East Queensland.*

As a result of the proposed height of the structure, it is readily apparent that the proposed flagpole would be visible and prominent from numerous locations in the public domain and protrudes well above surrounding rooftops. Under the planning scheme the application is required to be assessed against the criteria relating to height and

consequential impacts. Further detail on this assessment is provided under the *Height of buildings and structures overlay code*, *Significant loss of amenity*, *Streetscape*, *Community's reasonable expectations* and *Maroochydore/Kuluin Local Plan Code* headings below.

The proposal departs from Theme 6 of the Strategic Framework as the structure would be built at a height beyond the community's reasonable expectations and the development would unnecessarily add to visual clutter and disregard the distinctive character and amenity of the Sunshine Coast.

The proposed development is considered to depart from the following benchmarks contained in the Strategic Framework:

- Strategic Framework Theme 6: Community identity, character and social inclusion Element 1: – Landscape elements and features, specific outcome (g); and
- Strategic Framework Theme 6: Community identity, character and social inclusion Element 2 Sub-tropical character and locally responsive design, specific outcome (d).

Planning Scheme Codes

The application has been found to conflict with one or more elements of the applicable codes of the planning scheme and cannot be conditioned to comply. The pertinent issues arising out of the assessment are discussed below.

Height of buildings and structures overlay code

The site is located within a Specialised centre zone which allows for a maximum height of 12 metres for any building or structure. Performance Outcome PO1 of the *Height of buildings and structures overlay code* requires the height of a building or structure to not exceed the maximum height specified for the site. As the development does not comply with the performance outcome of the *Height of buildings and structures overlay code*, an assessment must be made against the purpose and overall outcomes of this code. The purpose of the code is to:

“...protect the distinctive character and amenity of the Sunshine Coast as a place with a predominantly low to medium-rise built form”

This purpose is supported by the following applicable overall outcomes:

- a) *development provides for the height of buildings and structures to comply with specified height limits except where explicitly provided for in this code*
- b) *development contributes to the retention of the preferred built form character for the Sunshine Coast, and the local plan area in which it occurs*
- c) *the height of buildings and structures is consistent with the reasonable expectations of the local community*

.....

- (e) development does not result in a significant loss of amenity for surrounding development, having regard to:-
- (i) the extent and duration of any overshadowing;
 - (ii) privacy and overlooking impacts;
 - (iii) impacts upon views;
 - (iv) building character and appearance; and
 - (iv) building massing and scale relative to its surroundings.

It is noted that compliance with the prescribed height limits is a requirement of Overall Outcome a) of the code. Any non compliance with an Overall Outcome is considered a significant conflict with the code. Generally, these provisions require consideration of amenity impacts of the proposal (having regard to local plan code provisions) including in relation to impacts on views and the reasonable expectations of the community. These are discussed in detail below.

Significant loss of amenity

In order to ascertain the visual impact of the structure from various vantage points (Maroochydore and Buderim residential areas, Sunshine Motorway, Sugar Road etc.) Council's 3D Project Officer has prepared a 3D model of the structure. The modelling provides an appropriately scaled and dimensioned visual representation of the flagpole from various vantage points in the local area. Given the vertical height of the structure, the flagpole would be visible from a variety of identified vantage points within a large radius of the site, including major roads, public spaces and residential areas. The below 3D model images demonstrates the structure's visual prominence from various vantage points in the local area:



Figure 16 – Key Map of 3D Model Image locations



Figure 17 – Location A – Perspective from Sunshine Motorway



Figure 18 – Location B – Perspective from Sunshine Motorway

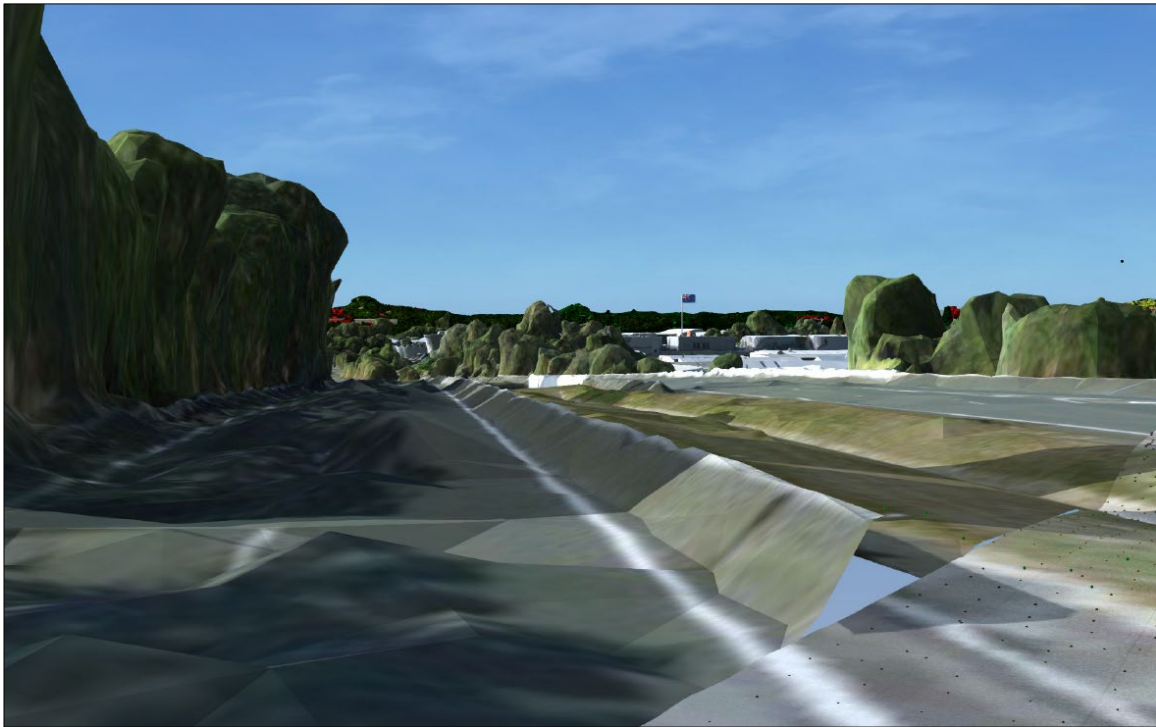


Figure 19 – Location C – Perspective from Sunshine Motorway

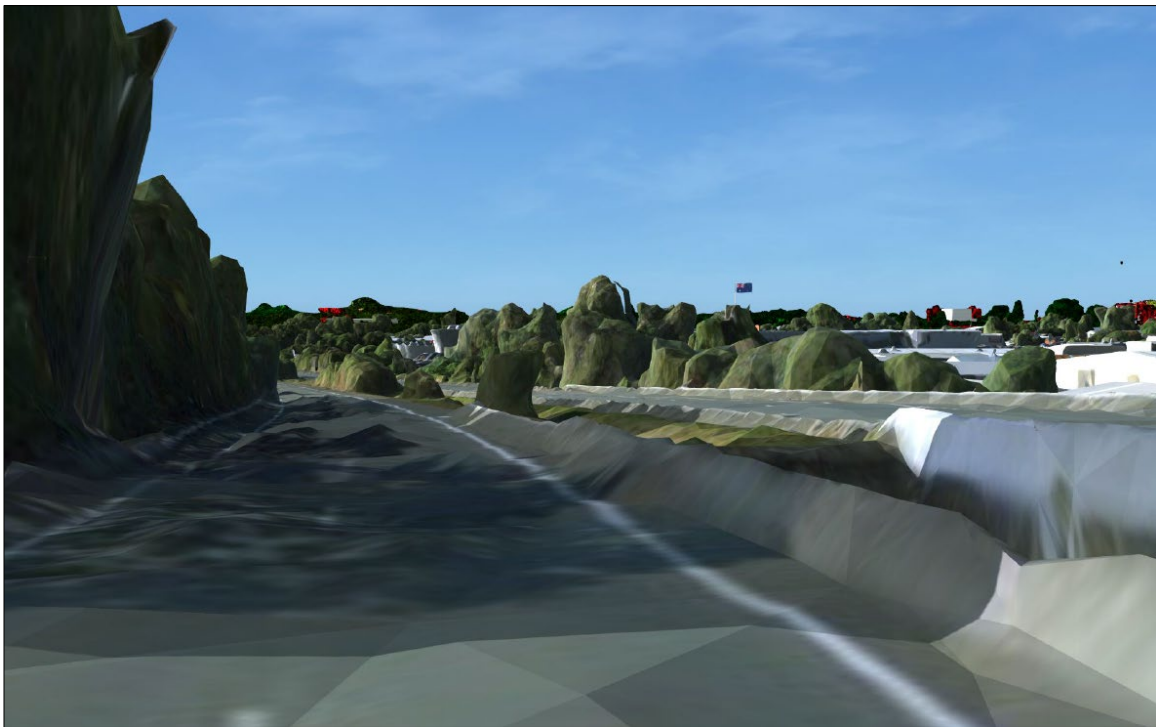


Figure 20 – Location D – Perspective from Sunshine Motorway



Figure 21 – Location E – View from Gary Cricks dealership at Sugar Road



Figure 22 – Location F – View from Newspaper Place facing looking south



Figure 23 – Location G – View from Newspaper Place facing looking south

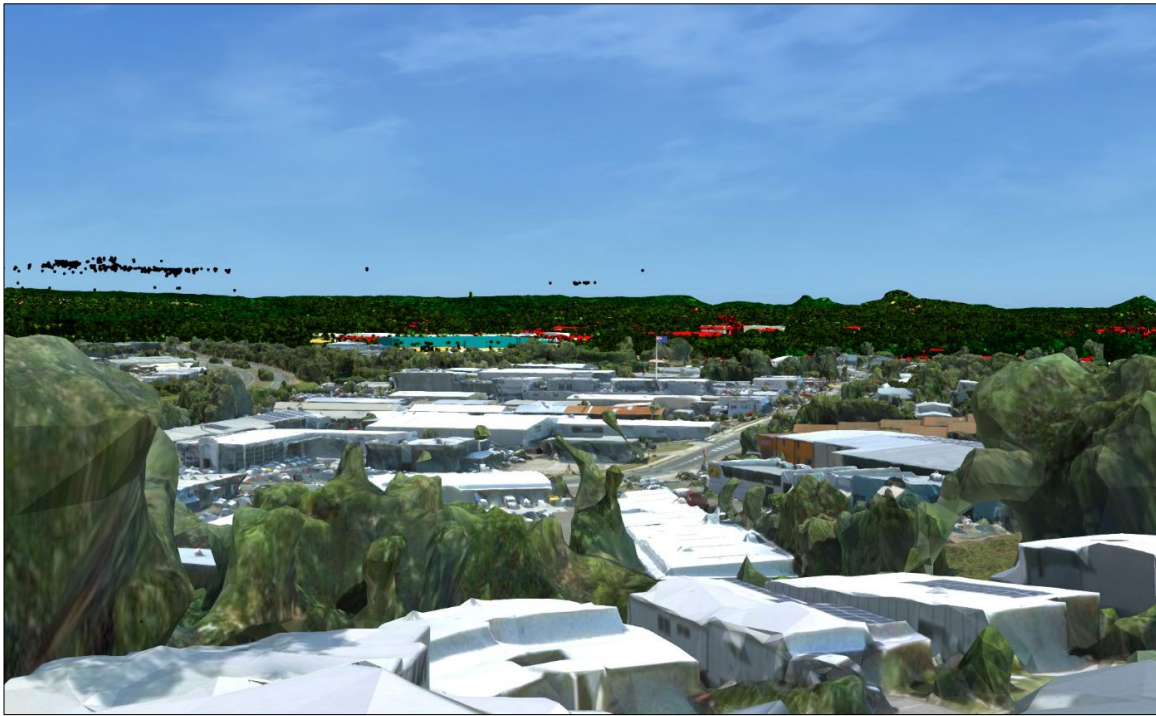


Figure 24 – Location H – View from The Grove, Alexandra Headland (residential area) looking north-west



Figure 25 – Location I – View from Centenary Crescent looking west



Figure 26 – Location J – View from Sugar Road/Centenary Crescent intersection looking west



Figure 27 – Location K – View from Sugar Road



Figure 28 – Location L – View from Dalton Drive looking south-east



Figure 29 – Location M – View from Dalton Drive looking south-east



Figure 30 – Location N – View from Hazeltine Court looking south-east



Figure 31 – Location O – View from Warung Avenue (residential area) looking south-west



Figure 32 – Location P – View from Warung Avenue (residential area) looking south-west



Figure 33 – Location Q – View from Sugar Road looking north-west



Figure 34 – Location R – View from Wises Road, Buderim looking north



Figure 35 – Location S – View from Deloraine Drive, Buderim



Figure 36 – Location T – View from Rim Road, Buderim

In addition, a comparative 3D model analysis of the proposed flagpole has been prepared in relation to existing flagpoles located at key sites on the Sunshine Coast. The proposed flagpole has been superimposed into the below images of the existing flagpoles at Aussie World, the Sunshine Plaza and Maroochydore R.S.L Club, to give an indication of its scale.

While it must be understood that the comparative analysis below is not in within locational context of the subject site, it supplements the locationally contextual visual assessment provided above. The comparative analysis demonstrates that the structure would be larger than existing prominent flags on key sites around the Sunshine Coast. The modelled flag poles in the images below are in the same locations as the photographed flags and are drawn to scale.



Figure 37 – Maroochydore R.S.L flagpole comparison



Figure 38 – Aussie World flagpole comparison



Figure 39 – Sunshine Plaza flagpole comparison

The proposed flagpole would have a vertical height of 30 metres which is well above the maximum height of 12 metres for the Specialised centre zone. As demonstrated by the 3D modelling, the flagpole would be visible from a variety of identified vantage points within the local area, including major roads, public spaces and residential areas. The fact that the Australian flag is proposed to be flown on the pole is not a relevant factor when assessing the proposal against the assessment benchmarks given that regardless of what type of flag is flown on the pole it would have the same visual impacts.

The vertical height of the flagpole is not in keeping with the character of the immediate area and would result in a significant loss of amenity for the following reasons:

- As seen in the 3D modelling, the immediate area is generally characterised by low rise residential development to the north-east and medium to large floor plate industry and commercial uses to the south and north-west. The vertical height of the flagpole is distinctly different to the predominant built form character of the area with regards to height. The structure would be 30 metres in an area with a built form which is generally low to medium rise and limited to 12 metres.
- The height of the flagpole would make it visible from a multitude of vantage points within the local area, including major roads and residential areas in Maroochydore, Alexandra Headland and the Buderim escarpment. The flagpole would protrude well above the predominant built form in the area and would break the horizon when viewed from many vantage points.
- Development in the area is required to demonstrate high quality urban design with landscape treatments to screen and buffer structures and buildings. The proposed flagpole would be visually prominent given its height and is not buffered or screened.

The structure is intended to be visually prominent to act as a way finding device and this departs from the planning scheme policy objectives for development to integrate into its character and surrounds.

- The structure results in the addition of visual clutter which would not improve the amenity of the surrounding area and instead contributes to the existing visual pollution.
- The structure would become a new feature in the viewshed of some residential streets that currently enjoy no connection or cues to the industrial development on Sugar Road.

The site obtains access from Sugar Road and has a 57 metre frontage to the Sunshine Motorway. The *Sunshine Coast Planning Scheme 2014* identifies Sugar Road as a major transport route. The Sunshine Motorway is identified as a principal transport route. The proposed development would not provide any visual improvement to Sugar Road or the Sunshine Motorway streetscape for the following reasons:

- As demonstrated by the 3D modelling, the prominence of the flagpole would contribute to the existing visual clutter at a greater height. The flagpole would create further impacts on the visual amenity of both streetscapes rather than incrementally improving the appearance of development and reducing visual impacts. The flagpole would not provide any net benefit other than to the applicant's business premises, and fails to demonstrate any visual improvement.
- The development does not provide any landscaping to provide visual relief and screening of the proposed flagpole from Sugar Road or the Sunshine Motorway and further it would not be possible to provide landscaping to soften and screen the full height of the pole.
- The proposed development would not contribute to the progressive refurbishment of sites along Sugar Road and the Sunshine Motorway with buildings, landscaping and integrated signage that improve the visual appearance and the continuity of the streetscape along either of these major roads.
- The structure is intended to be as visually prominent. The flagpole would be visible from many local road networks at significant distances. This outcome departs from the planning scheme which seeks to facilitate integrated development that is screened by landscaped setbacks so that it does not present an appearance of excessive clutter onto local roads.

The application has not demonstrated a genuine need to significantly exceed the maximum height limit of 12 metres. The planning scheme is clear in its intent to improve the visual amenity on the Sunshine Coast by the undergrounding of power, the minimisation of advertising devices and the enhancement of landscape to maintain and enhance the visual character of the area. The flagpole is not essential infrastructure (such as telecommunications tower, sports facility lighting, electrical reticulation) which provides an economic or community benefit and have a functional reasons to exceed the height limit. Nor is the self-storage facility an important public or civic landmark which would require a 30 metre flagpole to identify and celebrate the site's significance.

All reasonable purposes for the flagpole can be achieved by maintaining a maximum height of 12 metres, compliant with the *Height of buildings and structures overlay code* and consistent with the expectations of the local community. The proposed flagpole

would not be complementary of its setting. Its height is inconsistent with surrounding development and vegetation such that it protrudes well above the predominant roof line in the area and is highly visible. The structure would cause a significant loss of amenity by adding excessive and unnecessary clutter and changing the character and viewshed of public spaces and private residential streets.

Community's reasonable expectations

The overlay code requires "...buildings and structures to maintain a height which is consistent with the reasonable expectations of the local community which will protect the distinctive character and amenity of the Sunshine Coast as a place with a predominantly low to medium-rise built form."

The structure would have a vertical height of 30 metres in a zone which envisages a maximum height of 12 metres. The proposed flagpole structure would not contribute or retain the preferred built form character of the local area and is not consistent with the reasonable height expectations of the local community.

No submissions were received during public notification, however despite this, it is expected that the broader community has a reasonable expectation that buildings and structures would comply with the height limit.

There is nothing about the site that warrants erection of a flagpole or visual marker to a 30m height. The site is highly visible from Sugar Road and the Sunshine Motorway and the business already incorporates highly visible signage/visual markers as a method of advertising.

Maroochydore/Kuluin Local Plan Code

The *Maroochydore/Kuluin Local Plan Code* requires development to incrementally provide visual improvements to the interface of the Sunshine Motorway and Sugar Road as individual sites progressively refurbish over time. The code identifies the Sunshine Motorway as a principal transport route. Sugar Road is identified as a major road. Design and visual amenity provisions are included in the *Maroochydore/Kuluin Local Plan Code* to facilitate development which improves the visual appearance to both of these key road networks.

These provisions include:

Performance Outcome PO6 – *"Development provides a wide, vegetated buffer to the Sunshine Motorway to visually screen and soften built form elements."*

Overall Outcome 2 (k) – *"Development provides appropriate landscape buffering to the Sunshine Motorway in order to visually screen built form elements and maintain the visual amenity of the Motorway."*

Overall Outcome 2 (x) – *"Development in the Specialised centre zone provides for the progressive refurbishment of sites along Wisers Road and Sugar Road with buildings, landscaping and integrated signage that improve the visual appearance and the continuity of the streetscape along these major roads."*

As previously demonstrated and discussed, the flagpole would be visually obtrusive and prominent from the Sunshine Motorway, Sugar Road, surrounding residential streets, the Buderim escarpment and from vantage points around Maroochydore, Alexandra Headland and east Buderim. The proposal is not consistent with Overall Outcomes of the *Maroochydore/Kuluin Local Plan Code* for reasons discussed in the above “*Significant loss of amenity*” section of this report.

Advertising devices code

The application is impact assessable and therefore assessable against the entire *Sunshine Coast Planning Scheme 2014*. In this regard, the assessment manager may give weight to any matter which might be considered relevant.

Schedule 1 of the *Sunshine Coast Planning Scheme 2014* includes definitions and administrative definitions to assist with interpretation. Definitions are included of “advertising device” and “flagpole sign” which reads as follows:

Advertising device - Any permanent structure, device, sign or the like intended for advertising purposes. It includes any framework, supporting structure or building feature that is provided exclusively or mainly as part of the advertisement.

Flagpole sign - An advertising device in the form of a flag (excluding National, State, Local government and institutional crests or flags) which is flown from a masthead or suspended from any structure or pole.

The definition of a ‘Flagpole sign’ excludes National, State, Local government and institutional crests or flags and for this reason the structure cannot be regulated as a flagpole sign despite the flag being able to be used for wayfinding and general advertising support for the business, consistent with the definition of “Advertising device”. It is worth noting that where a flagpole is regulated as an Advertising device, the planning scheme sets limitations to minimise the maximum sign face area (2.5m² maximum) and a maximum allowable height of 5 metres above ground level (significantly lower than the 12m building height limit).

The applicant submits that the purpose of the Australian flag is “...to represent the operation of an Australian owned and operated business.” In this regard, the flagpole is considered to be a method of advertising in the form of branding for the business and wayfinding to the site. Storage Choice is part of a broader group of stores with facilities located in Brisbane, Sunshine Coast and Gladstone. The Storage Choice located at Coopers Plains, for example, uses the national flag for advertised wayfinding on the company website with the following statement: “...we’re easily found, just look for the big Aussie Flag at 840 Beaudesert Rd!”



Figure 40 – Extract from website advertising of Storage Choice, Coopers Plains

There is opportunity for the business to promote itself while complying with the provisions of the Advertising Devices Code, noting the site is highly visible from the Sunshine Motorway and other major roads.

Response to applicant's grounds of support

In addition to the photos submitted by the applicant, the grounds below have been submitted in support of the application. A response is provided to each of the applicant's statements.

- *The flagpole is not an Advertising Device and is not subject to a separate Operational Works application for Advertising Device. As the proposed flagpole is for the display of the Australian Flag, the proposed flagpole is excluded from this definition and is therefore not an advertising device.*

Response – Under the planning scheme the application is required to be assessed against the criteria relating to height and consequential impacts. The fact that the Australian flag is proposed to be flown on the pole is not relevant to the assessment benchmarks. As discussed in the *Advertising devices code* section of the report, it is suggested that the intent for the structure is to use the flag as a form of branding, way-finding and advertising to promote the business. The storage facility is not an important landmark, nor is the large flagpole necessary to identify community or public infrastructure.

- *The flagpole only triggers assessment due to the structure is classed as building work over the 12 metre height limit.*

Response – Agree. No development application would be required if the structure complied with the maximum 12 metre height limit.

- *The location of the proposed flagpole is setback in the order of 95 metres from the Sugar Road frontage and approximately 208 metres from the Sunshine Motorway.*

Response – The flagpole is set back from the Sunshine Motorway, however, given the structure’s vertical height, it would still be visually obtrusive and prominent from the Sunshine Motorway and surrounding areas as identified in the 3D modelling undertaken.

- *The structure contains a width of approximately 1 metre at the base of the pole, which tapers to approximately 0.4 metres at the top of the pole. Due to the narrow nature of the pole, it is not expected that the pole will result in any adverse visual amenity impacts, with the development not resulting in overshadowing and overlooking impacts, which are typically associated with over height buildings and structures.*

It is also noted that the pole is proposed to be painted white, which will blend into the surrounding area/roof forms, particularly when viewed from vantage points such as Buderim and Alexandra Headland.

Response – As demonstrated by the 3D model images, the flagpole would be visible from many vantage points within the local area, including major roads, public spaces and residential areas. A 1 metre base is a considerable width for a flagpole and would be noticeably large. Painting the pole white does not necessarily mean the structure would blend with its surroundings or sky colour (e.g. white is a reflective colour).

- *The application was referred to the State given the proximity of the site to a State Controlled Road. The State approved the application with no conditions.*

Response – The State Government’s assessment is limited to the impact the structure would have on the State Controlled Road (Sunshine Motorway) with respect to safety and vehicle movement. The State Government’s assessment did not include visual amenity considerations.

- *There are multiple infrastructure elements throughout the Sunshine Coast, which contain building heights similar to that proposed. Particularly, it is noted that electrical and telecommunications infrastructure, as well as sports field lighting, can have structure heights of up to 50 metres and comply with the relevant planning scheme provisions. Both of the structures allowed under the overlay are of similar built form and have minimal impact on the visual amenity of the surrounding area.*

Response – An important distinction between telecommunications infrastructure and structures for sports and recreation uses is that these are not assessable against the *Height of buildings and structures overlay* as they are specifically excluded from assessment (among other uses/purposes). The fundamental difference is that electrical, telecommunications and sports infrastructure is an essential urban community service which have unique functional reasons why they need to exceed the height limit. For example, telecommunication towers require height for network coverage and sports lighting need height for light

coverage of playing surfaces. There is no functional reason for a flagpole to exceed the height limit other than to maximise its visibility.

An example of where the *Sunshine Coast Planning Scheme 2014* seeks to minimise the visual impact of infrastructure as development occurs over time is where it requires the provision of underground electrical and telecommunication services for new residential estates and new developments in centre precincts.

- *The proposed development is for a flagpole and does not contain a bulk and scale, which will result in adverse, or significant amenity impacts upon adjoining land uses, by way of privacy and overshadowing impacts.*

Response - The flagpole would still be visually obtrusive and prominent from many locations within a large radius of the site. The structure would have a visual impact on the local area and further contributes to visual clutter in the area.

- *The proposal went through Public notification and received no objections from the community, and therefore it is reasonable to conclude that the proposal is in line with the community expectations for the area.*

Response – It is not reasonable to make this conclusion. It is likely the broader community are not aware of the proposal or of the scale of the structure and its proposed visual prominence in the area.

Assessment Benchmarks Related to a Variation Approval

Not applicable.

Assessment Benchmarks Related to a Temporary Local Planning Instrument

Not applicable.

Other Assessment Matters

In addition to the assessment benchmarks referred to above, the *Planning Regulation 2017* requires that impact assessment must be carried out having regard to:

- the regional plan for a region; and
- the State Planning Policy, to the extent the State Planning Policy is not identified in the planning scheme as being appropriately integrated in the planning scheme.

South East Queensland Regional Plan (SEQRP)

The development is located within the urban footprint of the SEQRP. Having regard to the SEQRP, the development is not inconsistent with the outcomes expressed and sought to be achieved by the SEQRP.

State Planning Policy (SPP)

Since the time the *Sunshine Coast Planning Scheme 2014* commenced on 21 May 2014, a new SPP came into effect on 3 July 2017 and must be considered for development assessment to the extent the SPP is inconsistent with the planning scheme.

The proposal is inconsistent with the policy intent of the SPP and does not conflict with any of the identified state interests.

CONSULTATION:

Referral Agencies

The application was referred to the following referral agencies in accordance with the *Planning Act 2016* and the *Planning Regulation 2017*:

Queensland Treasury (SARA)

The department is a concurrence agency due to the proximity of the site to a State-controlled Road. The department responded by letter dated 31 July 2020 stating that they have no requirements in relation to the application.

Other External Referrals

The application did not require any other external referrals.

Public Notification

The application was publicly notified for 15 business days between 7 August 2020 and 28 August 2020 in accordance with the requirements of the *Planning Act 2016*. No submissions were received.

CONCLUSION

The proposed development does not comply with, nor can it be conditioned to comply with, the requirements of the planning scheme. There are no other relevant matters applicable to the application that justify approving the proposed development. The proposal fundamentally departs from the planning scheme and does not provide sufficient justification, nor relevant matters to justify approval despite the non-compliances with the scheme. As such, the application is recommended for refusal based on the following reasons:

1. The proposed flagpole would not be complementary of its setting. Its height is inconsistent with surrounding development and vegetation such that it protrudes well above the predominant roof line in the area and is visible from numerous public and private places. The flagpole would be visible to many vantage points within a 600 metre radius and beyond, including major roads and residential areas in Maroochydore, Alexandra Headland and Buderim.

2. The proposed flagpole would become a new visible feature in the viewshed of residential streets that currently enjoy minimal connection or visual cues to the industrial development along Sugar Road. The proposed development results in unacceptable impacts to the character of the area and therefore departs from the following relevant assessment benchmarks of the *Sunshine Coast Planning Scheme 2014*:
 - a. Strategic Framework Theme 6: Community identity, character and social inclusion Element 1: – Landscape elements and features, specific outcome (g);
 - b. Strategic Framework Theme 6: Community identity, character and social inclusion Element 2: – Subtropical character and locally responsive design, specific outcome (d);
 - c. Height of building and structures overlay code overall outcome 2(e) and (c) and performance outcome PO1.

3. The proposal does not improve on the visual appearance of Sugar Road and the Sunshine Motorway and would further pollute and unnecessarily add to the existing visual clutter along these major routes. Both road networks are identified as major transport routes and by failing to demonstrate any visual improvement, the proposal departs from the following relevant assessment benchmarks of the *Sunshine Coast Planning Scheme 2014*:
 - a. Strategic Framework Theme 6: Community identity, character and social inclusion Element 1: – Landscape elements and features, specific outcome (g);
 - b. Maroochydore/Kuluin Local Plan Code overall outcome 2(k) and (x) and performance outcome PO6.

4. The proposed development is inconsistent with reasonable community expectations for development at the premises, which does not support heights of non-essential infrastructure significantly exceeding 12 metres. Such expectations are informed by, among other things, existing developments and the *Sunshine Coast Planning Scheme 2014*.