

Explanatory Memorandum

Sunshine Coast Planning Scheme 2014 (Administrative and Minor Amendment) No. 2

9 March 2015



1. Short title

The amendment instrument to which this explanatory memorandum relates is the *Sunshine Coast Planning Scheme 2014 (Administrative and Minor Amendment) No. 2*.

2. Type of local planning instrument

The amendment to the *Sunshine Coast Planning 2014* constitutes an 'administrative' and 'minor' amendment' in accordance with Section 2.3A.4 of *Statutory guideline 04/14: Making and amending local planning instruments*, for the following reasons:-

- (a) the amendment is of a minor nature (does not involve a change to a zone);
- (b) the amendment does not adversely affect a State interest;
- (c) the amendment corrects a factual matter incorrectly stated in the planning scheme;
- (d) the amendment corrects formatting, grammatical, spelling and mapping errors in the planning scheme;
- (e) the amendment corrects cross-references in the planning scheme;
- (f) the amendment reflects the latest version of a mandatory component in a standard planning scheme provision (Queensland Planning Provisions Version 3.1); and
- (g) the public interest would not be served by undertaking public notification about the amendment.

3. Entity making the Sunshine Coast Planning Scheme 2014 (Administrative and Minor Amendment) No. 2

The entity making the *Sunshine Coast Planning Scheme 2014 (Administrative and Minor Amendment) No. 2* is the Sunshine Coast Regional Council.

4. Land affected by the Sunshine Coast Planning Scheme 2014 (Administrative and Minor Amendment) No. 2

The *Sunshine Coast Planning Scheme 2014 (Administrative and Minor Amendment) No. 2* generally applies to the planning scheme area.

5. Purpose of the Sunshine Coast Planning Scheme 2014 (Administrative and Minor Amendment) No. 2

The purpose of the *Sunshine Coast Planning Scheme 2014 (Administrative and Minor Amendment) No. 2* is to address a small number of editorial matters, identified post-commencement of the planning scheme, that require correction or changes to improve the clarity and efficiency of the planning scheme.

6. Details of the Sunshine Coast Planning Scheme 2014 (Administrative and Minor Amendment) No. 2

The amendment to the *Sunshine Coast Planning Scheme 2014 (Administrative and Minor Amendment) No. 2* generally relates to:-

- (a) a factual matter incorrectly stated in the planning scheme;
- (b) a formatting, spelling, grammatical or mapping error;
- (c) cross-references in the planning scheme; or
- (d) an updated administrative definition in the latest version of the Queensland Planning Provisions (Version 3.1).

These matters are very minor in nature (i.e. do not involve a zoning change) and do not have any significant policy implications.

Table 6.1 provides a summary of the proposed planning scheme amendment.

Table 6.1 – Summary of proposed planning scheme amendment

Planning Scheme Part	Summary of Amendment
Part 1 – About the planning scheme	<ul style="list-style-type: none"> Changes to Table 1.6.1 (Building assessment provisions), to clarify that the Bushfire Hazard Overlay Maps include bushfire hazard area buffers for the purposes of the <i>Building Regulation 2006</i>
Part 5 – Tables of assessment	<ul style="list-style-type: none"> Changes to fix a factual matter incorrectly stated in the planning scheme (e.g. incorrect codes stated in Tables of assessment, a defined use incorrectly stated, incomplete heading name, incorrect referencing to local plan precincts) Changes to fix formatting errors (e.g. missing bullet point)
Part 6 – Zones	<ul style="list-style-type: none"> Changes to fix an incorrect reference to a local plan precinct number in Table 6.2.1.2.1 (Consistent uses and potentially consistent uses in the Low density residential zone) and Table 6.2.3.2.1 (Consistent uses and potentially consistent uses in the High density residential zone)
Part 7 – Local plans	<ul style="list-style-type: none"> Changes to fix a factual matter incorrectly stated in the planning scheme (e.g. identification of Community activity/facility on Figure 7.2.8 (Coolum Local Plan Elements) to be consistent with Community facilities zone on zone map, incorrect label on Figure 7.2.12A (Glass House Mountains Local Plan Elements) and Overall Outcome (h) in the Yandina Local Plan Code fixed to reflect zone map)
Part 8 – Overlay codes	<ul style="list-style-type: none"> Changes to the Bushfire hazard overlay code to clarify that a Designated bushfire area includes bushfire hazard area buffers Changes to the Scenic amenity overlay code to correct a reference to a defined term
Part 9 – Development codes	<ul style="list-style-type: none"> Changes to fix a grammatical error Changes to fix a factual matter incorrectly stated in the planning scheme (e.g. incorrect reference to PO6 instead of AO6 in the Sales office code, incorrect measurement in the Advertising devices code) Amendment to Figure 9.4.8B(i) (2031 Strategic Network of Pedestrian and Cycle Links (Pathways)) in the Transport and parking code, to remove the 'Regional pathway' along the waterway on the southern side of the 13 residential lots along Maloja Avenue to be consistent with the provisions relating to this area in the Caloundra Local plan area code
Schedule 1 - Definitions	<ul style="list-style-type: none"> Changes to fix grammatical, formatting and spelling errors Changes to fix a factual matter incorrectly stated in the planning scheme relating to an administrative definition The inclusion of an editor's note to the administrative definition of site cover to exclude roof overhangs from the calculation of site cover Changes to existing administrative definitions to align with the definitions in the Queensland Planning Provisions (Version 3.1) (e.g. relating to 'storey')

Planning Scheme Part	Summary of Amendment
<p>Schedule 2 - Mapping</p>	<ul style="list-style-type: none"> • The following changes to fix mapping errors relating to all Biodiversity, waterways and wetlands overlay maps (ii):- <ul style="list-style-type: none"> – provision of a different colour symbology to distinguish between Waterways – Stream order 1-2 and Stream order 3-4 – minor corrections to riparian protection polygons – deletion of the wording “(indicative cadastral extent)” after the legend entries for Ramsar Wetlands and Declared Fish Habitat Areas • Changes to the colour of the suburb text (from blue to black) on all rural tiles relating to the Biodiversity, waterways and wetlands overlay maps (ii) • Changes to fix mapping errors relating to all portrait Biodiversity, waterways and wetlands overlay maps (ii) to ensure that all waterway elements are displayed on the face of the map • Changes to the legend on all portrait Bushfire hazard overlay maps to include the word ‘buffer’ where relevant

7. Compliance with the Sustainable Planning Act 2009

The *Sunshine Coast Planning Scheme 2014* complies with the purpose and key elements 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 (Administrative and Minor Amendment) No. 2* does not affect this compliance.

The *Sunshine Coast Planning Scheme 2014 (Administrative and Minor Amendment) No. 2* 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 04/14: Making and amending local planning instruments*.

8. 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 (Administrative and Minor Amendment) No. 2* does not affect the planning scheme’s compliance with State planning instruments.

9. Consultation with government agencies

Consultation with relevant state agencies is not a mandatory requirement for a minor or administrative amendment under Step 3.2 of the *Statutory guideline 04/14: Making and amending local planning instruments*.

Preliminary discussions with representatives from the Department of State Development, Infrastructure and Planning (DSDIP), Regional Services – SEQ (North) on 30 October 2014 and 23 September 2014, indicated that it was reasonable to consider that the proposed planning scheme amendment constitutes an ‘administrative’ and ‘minor’ amendment in accordance with Section 2.3A.2 and 2.3A.3 of the *Statutory guideline 04/14: Making and amending local planning instruments*.

In accordance with Section 2.4A.1, Step 1.5 of *Statutory guideline 04/14: Making and amending local planning instruments*, by letter dated 19 December 2014, Council advised the Minister of the reasons why the proposed amendment was considered to be an 'administrative' and 'minor' amendment.

By letter dated 12 January 2015, the Department of State Development, Infrastructure and Planning advised Council that the proposed amendment was considered to be administrative and minor in nature under Section 2.3A.2 and 2.3A.3 of the *Statutory guideline 04/14: Making and amending local planning instruments* and that Council may proceed to Stage 4 – Adoption.

10. Public consultation

No public consultation has been undertaken during the preparation of the *Sunshine Coast Planning Scheme 2014 (Administrative and Minor Amendment) No. 2*, noting that the amendment constitutes an 'administrative' and 'minor' amendment under the *Statutory guideline 04/14: Making and amending local planning instruments*.

11. Background studies and reports

No background studies and reports have been prepared during the preparation of the *Sunshine Coast Planning Scheme 2014 (Administrative and Minor Amendment) No. 2*.