



Explanatory Memorandum

Proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted] – Historic Cultural Heritage

Post Notification Ministerial Review Version

February 2020



1. Short title

The amendment instrument to which this explanatory memorandum relates is the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]* relating to – Historic Cultural Heritage.

2. Type of local planning instrument

The proposed amendment to the *Sunshine Coast Planning Scheme 2014* constitutes a 'major amendment' in accordance with Schedule 1 of the *Minister's Guidelines and Rules* (July 2017) (MGR) made under the *Planning Act 2016*.

The proposed Planning Scheme Policy (PSP) amendment constitutes an 'amendment' to a planning scheme policy in accordance with Schedule 1 of the MGR.

3. Entity making the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]

The entity making the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]* – *Historic Cultural Heritage* is the Sunshine Coast Regional Council.

4. Land affected by the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]

The proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]* – *Historic Cultural Heritage* generally applies to the planning scheme area and specifically to land identified in the proposed Heritage and character areas overlay mapping (included in Schedule 2 of the planning scheme).

In the case of local and State heritage places and sites within character areas, the land identified is also described in **Appendix A**.

5. Purpose of the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]

The purpose of the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]* – *Historic Cultural Heritage* is to comprehensively revise planning scheme provisions relating to cultural heritage. This includes amendments to:

- the Strategic framework, to clarify the intent of the strategic provisions relating to local heritage places and character areas;
- the tables of assessment in section 5.10 'Categories of development and categories of assessment – overlays' to introduce an assessment trigger for land in proximity to a local heritage place, to make refinements to the range of building work that triggers assessment, to exempt material changes of use within an existing building in character areas from assessment, as well as clarifying the range of works (including demolition, relocation or removal works) that trigger different levels of assessment under the Heritage and character area overlay code;

- the local planning provisions in Part 7, to make specific changes related to individual places (including to the Lighthouse View Protection Area in the Caloundra local plan and the removal of the 'Other Place of local character significance' local plan element present in Eumundi and Glass House Mountains), as well as other changes to facilitate the implementation of the proposed revisions to identified local heritage places and character areas;
- the Heritage and character areas overlay code (Part 8, s8.2.9), to include amendments that improve the practical workability of the code, as well as providing consistent coverage of development in proximity to a local heritage place;
- Schedule 1 Definitions, to introduce revised definitions for 'character area' (replacing the term 'neighbourhood character area'), 'character building', 'exempt vegetation clearing' and a new definition - 'land in proximity to a local heritage place', to give effect to revisions to the Heritage and character areas overlay code;
- the Heritage and character areas overlay code mapping in Schedule 2, to incorporate revised mapping of local heritage places and character areas, as well as the introduction of mapping to indicate character buildings and land in proximity to a local heritage place;
- SC6.10 Planning scheme policy for the heritage and character areas code, to incorporate revised and expanded place information reflecting the recommended revisions to local heritage places and character areas; and
- address other consequential operational matters.

6. Reasons for the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]

Council has prepared the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]* – *Historic Cultural Heritage* for the following reasons:

- to respond to public submissions received during the notification of the draft Sunshine Coast Planning Scheme that related to heritage conservation;
- to remove references to local heritage places that are no longer extant;
- to establish a consistent rationale and approach to heritage protection within the *Sunshine Coast Planning Scheme 2014* (the planning scheme). The current listing of places identified in the planning scheme is based on a range of historic studies undertaken in relation to the former Caloundra City and Maroochy Shire areas;
- further to the above, the key heritage studies informing the planning scheme at present are generally over eight years old and therefore the timeframe for their revision has become apparent. The proposed amendment reflects a current best practice approach to heritage protection, which generally has a greater allowance for the inclusion of local heritage places reflecting the post-World War II period and exemplar contemporary local architecture;
- in addition, the character areas identified in the planning scheme have been reviewed, reflecting the need to ensure that these elements remain appropriate and also to take account of character areas not currently identified in the planning scheme;

- the Table of Assessment for the Heritage and character areas overlay and the Heritage and character areas overlay code require changes to help ensure a more consistent basis for heritage protection in the planning scheme; and
- SC6.10 Planning scheme policy for the heritage and character areas overlay code is required to be amended to incorporate revised and expanded place information reflecting the proposed revisions to local heritage places and character areas.

7. Details of the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]

The details of the proposed amendment to the *Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]* – *Historic Cultural Heritage* are as follows:

Part 3. Strategic framework – s3.8.4.1 (Cultural heritage and character specific outcomes)

The Strategic framework is proposed to be updated to provide greater recognition of Council's intent to protect and conserve local heritage in accordance with the Australia ICOMOS Burra Charter. As well as this, s3.8.4.1(c) has been amended to be more definitive about Council's intent to see development maintain and enhance the historical character of building clusters or streetscapes.

Part 5. Table of assessment - Heritage and character areas overlay – s5.10

The Table of assessment is proposed to be updated to provide for a more comprehensive and consistent treatment of local heritage places and character areas. Changes include:

- addition of clarifications to the 'Category of development and Category of assessment' column that ensure that material changes of use or building work involving partial demolition, relocation or removal of elements that contribute to the significance of a local heritage place are assessable against the Heritage and character areas overlay code. This ensures that any work that may affect the significance of a local heritage place is nominated as being assessable development;
- introduction of specific levels of assessment for proposed development located on 'land in proximity to a local heritage place', whereby material changes of use, reconfiguring a lot, and selected operational works (involving filling or excavation over 50m³, placement of an advertising device) on 'land in proximity to a local heritage place' is nominated as code assessable development;
- refinements to the requirements for external building work relating to character buildings, including the addition of requirements relating to changes to the pitch or layout of a roof or the building materials used for the roof;
- clarification that the significance of a local heritage place is detailed in SC6.10 Planning scheme policy for the heritage and character areas overlay code; and
- clarification that the planning scheme depicts State heritage places for information purposes only.

Part 7. Local Plans

Changes are proposed to the local plan codes as follows:

- to update references to individual local heritage places, including the insertion of references and requirements relating to new local heritage places proposed for inclusion in the planning scheme;
- to update references to character areas, including the insertion and removal of local plan requirements to correspond with the character areas proposed;
- removal of the existing element of 'Other place of local character significance' from the local plan elements figures contained within the Eumundi local plan code and Glass House Mountains local plan code;
- addition of several properties to the 'Lighthouse View Protection Area' element of the Caloundra Local Plan Elements Map (Figure 7.2.6A), in recognition of the potential impact that the development of these properties may have on the views obtained to and from the Caloundra Lighthouses, as well as amendment of acceptable outcome AO3.2 in the Caloundra local plan code to state that the views of coastal waters obtained from the viewing platforms of the Caloundra Lighthouses are not to be interrupted; and
- revision of all local plan elements figures to reflect revisions to the mapping of local heritage places and character areas (as a consequential change).

Part 8. Heritage and character areas overlay code – s8.2.9

The Heritage and character areas overlay code has been redrafted as follows:

- changes to the Purpose and overall outcomes of the code to:
 - make explicit the intent of heritage protection to contribute towards an enhanced community connection (including for future generations) with historical places, values and traditions;
 - ensure consistent and comprehensive referencing of terms and the removal of potential ambiguities in the outcome statements;
 - remove the note providing qualifications on Council's consideration of matters relating to the 'no prudent and feasible alternative' test for the proposed demolition or relocation of a local heritage place;
- extension of the performance outcomes to provide greater clarity in relation to the specific elements of development proposals that are relevant to consider in the assessment of a material change of use or building work, including the design of fences and driveways;
- clarification that the significance of a local heritage place is detailed in SC6.10 Planning scheme policy for heritage and character areas overlay code;
- clarification of acceptable outcomes relating to the preparation of a conservation management plan, consistent with the approach of SC6.10 Planning scheme policy for heritage and character areas overlay code;
- clarification of references to the Australia ICOMOS Burra Charter;
- revision of the requirements relating to excavation activities to align with the Example Code: Cultural Heritage in the State Planning Policy - state interest guidance material, including the removal of existing acceptable outcome AO7.2 relating to sites adjoining a heritage place;
- changes to facilitate the assessment of advertising devices proposed on land in proximity to a local heritage place;

- changes to clarify that the identified character of a character area (contained in SC6.10 Planning scheme policy for heritage and character areas overlay code) is a relevant matter in the assessment of development proposed within a character area;
- changes to facilitate the assessment of building work relating to character buildings involving fences and driveways;
- changes to broaden requirements regarding respect for local architectural style from applying only to new buildings to applying to all new development in character areas;
- changes to facilitate the specific assessment of building work to enclose the under storey area of a character building;
- changing the location of requirements relating to ancillary structures and advertising devices to a more logical location in the code; and
- clarifying requirements relating to development proposed in relation to character buildings.

Schedule 1 - Definitions

The following changes have been proposed:

- introduction of administrative definitions for the following terms:
 - 'land in proximity to a local heritage place' - see below for commentary;
 - 'character area' - the definition clarifies the existing situation in the planning scheme of character areas being as identified on a Heritage and character areas overlay map (noting that this definition replaces the current term 'neighbourhood character area');
- clarification of the definition of 'exempt vegetation clearing'; and
- changes to the definition of 'character building', to correspond with proposed changes to the Heritage and character areas overlay code mapping in Schedule 2 to specifically identify character buildings. The definition refers to sites identified in the mapping contained in Schedule 2. This proposed change is intended to remove the existing uncertainty within the definition, which does not refer to any specific identification of sites.

Schedule 2 - Mapping - Heritage and character areas overlay mapping

The Heritage and character areas overlay mapping is proposed to be revised as follows:

- removal of the existing overlay mapping;
- insertion of revised overlay mapping (refer to **Appendix A** for detailed maps depicting the proposed overlay mapping);
- changes to identify character buildings within character areas;
- changes to introduce a new overlay element - 'land in proximity to a local heritage place' (refer to comments under 'General themes' below); and
- changes to the mapping legend to promote the visual prominence of heritage and character area elements when viewed alongside other planning scheme mapping elements.

Schedule 6 - Planning Scheme Policies - SC6.10 Planning scheme policy for heritage and character areas overlay

The following changes are proposed:

- removal of all existing significance statements for local heritage places and character areas;
- revision of the advice for character area outcomes, clarifying the nature of the character areas identified in the planning scheme;
- insertion of an editor's note clarifying the heritage conservation framework as it relates to Aboriginal cultural heritage;
- insertion of revised statements of significance for the local heritage places and character areas recommended for retention with details on State heritage places provided for information only (refer to Amendment Instrument and **Appendix B** for details);
- introduction of a number of new local heritage places (refer to Amendment Instrument and **Appendix B** for details);
- removal of a number of existing local heritage places (refer to **Appendix C** for details);
- introduction of two new character areas - Maleny Maple Street and Moffat Beach, with all other character areas being retained, including with modifications to these areas, both to the spatial extent of these areas and in the identification of character buildings (refer to Amendment Instrument and **Appendix A** and **Appendix D** for details);
- removal of a number of character buildings located within character areas proposed for retention (refer to **Appendix E** for details); and
- a revised place boundary for a significant number of existing local heritage places (refer to **Appendix A**, **Appendix B** and **Appendix C** for details).

General themes

Land in proximity to a local heritage place

A new overlay element - 'land in proximity to a local heritage place' - is proposed to ensure that the potential impacts that a proposed development proximate to a local heritage place are considered in the development assessment process. Some forms of development on land subject to this element are intended to be code assessable.

The mapping of this element is intended to ensure transparency in the application of the Heritage and character areas overlay code to land in proximity to a local heritage place.

These arrangements will replace the existing situation where lot reconfiguration is the only form of development that is triggered for assessment on land that is adjacent to a heritage place.

It is noted that with reference to State heritage places, under the *Queensland Heritage Act 1992*, all proposed material changes of use on land that share a common boundary with a State heritage place may be triggered for assessment subject to specific proximity and other requirements.

Refer to **Appendix A** and the Amendment Instrument for further details.

8. Compliance with the Planning Act 2016

In accordance with the Minister's Alignment Amendment Rules, the *Sunshine Coast Planning Scheme 2014* was amended for alignment with the *Planning Act 2016* on 3 July 2017. The proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]* – *Historic Cultural Heritage* does not materially affect this alignment.

The proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]* – *Historic Cultural Heritage* has been prepared in accordance with:-

- Section 20 (Amending planning schemes under Minister's rules) of the *Planning Act 2016*;
- Section 22 (Making or amending planning scheme policies) of the *Planning Act 2016*; and
- Minister's Guidelines and Rules (July 2017) made under the *Planning Act 2016*.

In accordance with Chapter 2, Part 4, section 17.2 of the *Minister's Guidelines and Rules*, the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]* – *Historic Cultural Heritage*:-

- advances the purpose of the Act in that it facilitates the conservation and enhancement of places that have special architectural, cultural, historic and spiritual significance;
- is consistent with section 16(1) of the Act in that it:-
 - continues to identify strategic outcomes for heritage conservation within the Sunshine Coast local government area;
 - continues the inclusion of measures that facilitate the achievement of the strategic outcomes in the planning scheme for heritage conservation, including the identification of assessable development, the provision of an assessment code, overlay mapping and a planning scheme policy as implementation mechanisms;
 - has been prepared with reference to other matters dealt with by the planning scheme, including specific references to the State-level dimension of heritage protection;
- is consistent with the regulated requirements prescribed in the Planning Regulation, in that it accords with the Sunshine Coast Planning Scheme 2014 (Alignment Amendment) No. 9 and does not purport to change any relevant definition or zone purpose statement;
- is well drafted and clearly articulated; and
- accords with the result of any relevant study or report.

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.

A review of the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]* – *Historic Cultural Heritage* has confirmed that the proposed amendment complies with the relevant aspects of the State planning instruments. In accordance with Schedule 3 (Required Material) of the *Minister's Guidelines and Rules*, particular aspects of the proposed amendment that have been identified as potentially relevant to State planning instruments are detailed in **Table 9.1** below.

Table 9.1 Compliance with State planning instruments

Summary of proposed amendment	State Interest	Summary of Compliance
Proposed changes to planning scheme overlay (to incorporate a revised range of local heritage places and character areas)	Cultural Heritage	The proposed amendment has identified and documented local heritage places and character areas in accordance with industry best practice and to the standard that would be necessary for the creation of a local heritage register under the <i>Queensland Heritage Act 1992</i> .
Proposed changes to the heritage and character areas overlay code assessment provisions	Cultural Heritage	The code has been prepared to comply with the requirements of the <i>Queensland Heritage Regulation 2015</i> (specifically to provide coverage of the matters contained within the Code for IDAS located in Schedule 2) and the <i>State Planning Policy – State Interest Guideline Cultural Heritage (April 2016)</i> (specifically the matters covered in the Model heritage overlay code provisions). Elements from the July 2017 State Planning Policy Example Code: Cultural Heritage have also been included.

10. Consultation with government agencies

During the preparation of the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) and Planning Scheme Policy (Amendment) No. [to be inserted]* – *Historic Cultural Heritage*. Council officers have met with representatives from the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) – Regional Services SEQ (North) to discuss the content of the proposed amendment and likely state interests.

In accordance with the *Planning Act 2016* and the Minister's Guidelines and Rules (July 2017), Council sent a copy of the proposed amendment to the Planning Minister on 18 July 2018, advising of Council's decision to make the proposed amendment and to seek approval to proceed to public consultation.

On 14 June 2019, Council received advice from the Planning Minister that it may proceed to publicly consult on the proposed amendment, subject to conditions. The amendment package was updated in accordance with the Minister's conditions prior to being released for public consultation.

11. Public consultation and communications strategy

In accordance with the Minister's Guidelines and Rules, Council must undertake public consultation when making a major amendment, once the State interest review step is complete. In this regard, by letter dated 14 June 2019, Council received advice from the Planning Minister that Council may proceed to publicly consult on the proposed amendment, subject to conditions.

In accordance with the *Minister's Guidelines and Rules*, the proposed amendment was subject to public consultation from **19 August to 16 September 2019** (inclusive).

For a planning scheme policy amendment, a State interest review is not required and Council may proceed to public consultation once the amendment is prepared; however, as the planning scheme policy amendment directly relates to the proposed planning scheme amendment, the proposed planning scheme policy amendment was notified concurrently with the associated amendment to the planning scheme.

In accordance with Council's communications strategy for the proposed amendment, the following communication and consultation activities occurred during the public consultation period:

- formal public consultation on the proposed amendment for 21 business days; (exceeding the minimum requirement of 20 business days);
- consultation with relevant State agencies (refer **Section 10**);
- a notice published in the Sunshine Coast Daily on 17 August 2019;
- a dedicated webpage on Council's 'Have Your Say' website, including a copy of the public notice, amendment documentation, information sheets, an on-line submission form and a link to interactive mapping showing the spatial elements of the proposed amendment;
- written notice to affected land owners (all owners of properties subject to the addition and/or removal of an overlay element on the Heritage and character areas overlay mapping), stating the purpose and general effect of the amendment in advance of formal public consultation, including the opportunity to contact Council for further information;
- specific consultation with the Sunshine Coast Heritage Reference Group (SCHRG) during the public consultation period as well as additional specific consultation with the general public, industry, business and community groups, including:
 - Kenilworth Showgrounds Association
 - Maleny Commerce
 - Moffat Beach community (general public meeting).
 - Organisation of Sunshine Coast Association of Residents (OSCAR Inc)
 - Sunshine Coast Environment Council (SCEC)
 - The Urban Development Institute of Australia (UDIA) – Sunshine Coast Branch;
 - Yandina and District Community Association (YADCA)
 - Yandina Chamber of Commerce;
- release of an industry newsflash, with targeted material prepared for planning and building certification professionals as well as SCHRG and cultural heritage stakeholder groups from across the Sunshine Coast;
- inclusion of material on the section of Council's website relating to heritage conservation;

- a copy of the amendment documentation made available at Council's administration buildings in Nambour, Caloundra and Maroochydore in addition to all Council libraries; and
- responding to various phone, email and counter enquiries.

The Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) Communications Engagement Toolkit for Planning was considered in the preparation of this communications strategy.

12. Consideration of public submissions

In accordance with the Minister's Guidelines and Rules, following public consultation, Council must consider every properly made submission about the proposed amendment and may consider other submissions.

As a result of public consultation on the proposed amendment, Council received a total of 386 submissions. 62 submissions indicated either support or provisional support for the proposed amendment, 319 submissions indicated either objection or partial objection to the proposed amendment, while 5 submissions offered factual information (neither supporting nor objecting to the proposed amendment).

In accordance with the Ministers Guidelines and Rules, a Consultation Report has been prepared (refer to **Appendix F – Consultation Report**) which provides a summary of the matters raised in submissions and how these matters have been dealt with by Council. A copy of the Consultation Report has been provided to each person who made a submission and is also available to view or download on Council's website.

Following consideration of submissions and other matters during the post-consultation review, at the Ordinary Meeting held on 20 February 2020, Council decided to proceed with the proposed planning scheme amendment and planning scheme policy amendment, with the following changes:

Local heritage places

- Removal of identification of the following sites as proposed local heritage places:
 - Agnes Shipwreck
 - Lake Weyba House
 - Sunshine Castle, Bli Bli
 - Perwillowen House.
- Removal of the identification of No. 80 Schubert Road, Woombye (an existing local heritage place that was proposed for retention in the public consultation version of the proposed amendment)
- Changes to the information contained in the proposed amendment in relation to the following existing and proposed local heritage places to respond to issues raised in submissions and/or further research:
 - 11 North Street, Yandina
 - Belbury House, Montville
 - Diddillibah Community Hall
 - Elaman Creek Recreation Reserve
 - Fairview Cattle Management Area
 - Gneering Shipwreck
 - Kenilworth Cheese Factory
 - Kenilworth Masonic Hall
 - Kenilworth Police Station
 - Kenilworth Sawmill
 - Kenilworth Showgrounds and Kenilworth Public Hall
 - 'Lot 71', Bli Bli
 - Maleny Hotel

- Maroochydore Scouts' and Guides' Site (previously referred to as Maroochydore Scout Den)
- Montville Primary School and Former Residence
- Nambour Showgrounds
- Nothing's Homestead (formerly Nothing's Homestead, Witta)
- Original Bli Bli School Grounds
- Sims Brothers Garage (formerly Sims Garage)
- The Landsborough Monument
- Woolston Wood
- Yandina Hotel
- Yandina School of Arts.
- Re-instatement of the following local heritage places (that were proposed for removal in the public consultation version of the proposed amendment):
 - Blazed Tree Boundary Marker, Pacific Paradise.
 - Block A Yandina State School
 - Eudlo State School
 - Mapleton State School.

Character areas and character buildings

- Removal of properties located on the southern side of Grigor Street from the proposed Moffat Beach character area.
- Removal of the identification of character buildings within the proposed Moffat Beach character area (within the overlay mapping only).
- Changes to the Moffat Beach character area statement of significance to provide clarification in relation to key characteristics of the Moffat Beach character area and terminology used in the statement.
- Removal of the identification of properties on Farrell Street, Yandina, as being within the proposed Yandina character area (and consequently removal as proposed character buildings where relevant), with the exception of properties in the general area at the junction of Stevens Street and Farrell Street.
- Removal of the identification of the following proposed character buildings:
 - 5 Hill Street, Palmwoods
 - 39 Blackall Street, Woombye
 - 56 Maple Street, Maleny (Watson's Garage)
- Revisions to the identification of the character building element at 9 Blackall Street, Woombye.

Other provisions

- Removal of the proposed land in proximity to a local heritage place overlay element from:
 - 45 Lindsay Road, Buderim
 - 1691 Maleny-Kenilworth Road, Conondale.
- Revisions to the proposed land in proximity to a local heritage place overlay element relating to 4 Worthington Lane, Golden Beach.
- Changes to the Table of Assessment for the Heritage and character areas overlay code (Table 5.10.1), to exclude assessment of building work where this is internal maintenance works on local heritage places.
- Changes to Table 8.2.9.3.2 (for character areas) in the Heritage and character areas overlay code to ensure that lot size is included as a character element and streetscape characteristic in the assessment provisions.
- Changes to performance outcome PO5 in Table 8.2.9.3.2 (for character areas in the Heritage and character areas overlay code) to move PO5(a) – which requires that the enclosure of a character building understorey be recessed behind the front façade of the upper storey by not less than one metre, from the Performance Outcomes to the Acceptable Outcomes.
- Adding a place history for Mooloolaba to SC6.10 Planning scheme policy for the Heritage and character areas overlay code.

- Consequential amendments to other parts of the planning scheme to give effect to the above changes.
- Drafting refinements and editorial changes that were identified during the post-consultation review of the proposed planning scheme amendment to improve the currency, factual correctness, efficiency and operation of the proposed amendment.

These changes were not considered to make the proposed amendment significantly different to the public consultation version of the proposed amendment.

13. Thematic history supporting information document

A 'Thematic History of the Sunshine Coast' (Converge, August 2019) has been prepared as a supporting information document for the proposed amendment (refer to **Appendix G**). No changes have been made to this document following public consultation.

14. Aboriginal cultural heritage

The statements of significance contained within the proposed changes to SC6.10 Planning scheme policy for the heritage and character areas overlay have been prepared based on the regime for the management of heritage places established by the *Planning Act 2016* in conjunction with the *Queensland Heritage Act 1992*, which is oriented toward the preservation of heritage fabric in the era following contact between Europeans and the Kabi Kabi First Nation and Jinibara People.

The *Aboriginal Cultural Heritage Act 2003* is established in Queensland legislation to provide for separate laws and processes for Aboriginal cultural heritage. This Act provides for more culturally appropriate means to conserve this heritage than that available through the *Planning Act 2016* or *Queensland Heritage Act 1992*.

A duty of care exists for all persons under the *Aboriginal Cultural Heritage Act 2003* to take all reasonable and practical measures to ensure their activities do not harm Aboriginal cultural heritage. Further guidance in relation to these matters can be obtained by contacting the relevant State Government department.

The Jinibara Traditional Inputs for the Sunshine Coast Heritage Study (2017), prepared by the Jinibara People in conjunction with Australian Heritage Specialists Pty Ltd, was released in parallel with the 'Thematic History of the Sunshine Coast' document referenced above (refer to **Appendix H**). No changes have been made to this document following public consultation. It is anticipated that an equivalent document will be published separately by the Kabi Kabi First Nation at a later date.

15. Appendices

Appendix No.	Document
A	Mapping of recommended changes to heritage and character areas overlay of the <i>Sunshine Coast Planning Scheme 2014</i>
B	Local heritage places proposed to be added or retained (including with modifications) in the <i>Sunshine Coast Planning Scheme 2014</i>
C	Existing local heritage places proposed to be removed from the <i>Sunshine Coast Planning Scheme 2014</i>
D	Character Areas - proposals summary

Appendix No.	Document
E	Existing character buildings proposed to be removed from the <i>Sunshine Coast Planning Scheme 2014</i> , where within an character area proposed for retention
F	Consultation report – Proposed Historic Cultural Heritage Planning Scheme Amendment
G	Thematic History of the Sunshine Coast (Converge, August 2019)
H	Jinibara Traditional Inputs for the Sunshine Coast Heritage Study (2017) by the Jinibara People in conjunction with Australian Heritage Specialists Pty Ltd