

# **Consultation Report Proposed Historic Cultural Heritage Planning Scheme Amendment**

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**[www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)**

[mail@sunshinecoast.qld.gov.au](mailto:mail@sunshinecoast.qld.gov.au)

**T 07 5475 7272 F 07 5475 7277**

Locked Bag 72 Sunshine Coast Mail Centre Qld 4560

#### Acknowledgements

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# 1. Overview of submissions

**Total no. of submissions received: 386**

**No. of submissions in partial or complete support: 62**

**No. of submissions in partial or complete objection: 319**

**No. of information only submissions: 5**

## Overall key issues raised in support of the proposed amendment:

- It is important to maintain and preserve heritage sites for future generations.
- The development of provisions to address protection of significant architectural built form is long overdue.

## Overall key issues raised in objection to the proposed amendment:

- Private property should not be identified as a heritage place without owners consent.
- Heritage and character designations lower property values and owners should be compensated.
- The proposed amendment is not in the interest of the community and enforces undue constraints on Sunshine Coast properties.
- The amendment will restrict, complicate and prevent future planning and development.
- The proposed amendment is not needed.
- There is no consistency to criteria for building and properties in the present and future.
- There is less willingness from investors to buy in historic and character areas due to the restrictions, extra costs and difficulties.

## 1.1. Introduction

Public consultation on the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) – Historic Cultural Heritage and Planning Scheme Policy (Amendment)* was undertaken from 19 August to 16 September 2019.

A total of 386 individual submissions were received by Council. Council has considered the matters raised by all submissions, irrespective of date received.

Review of the submissions identified:

- 62 submissions were identified either offering provisional or full support for the proposed amendment;
- 319 submissions either partially or completely objecting to the proposed amendment;
- 5 submissions that offered factual information and/or corrections to the amendment without expressing either support or objection.

This consultation report addresses the key issues raised in submissions and outlines Council's intentions in relation to the proposed amendment following consideration of submissions.

## 1.2. Overview of proposed planning scheme amendment

The proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) – Historic Cultural Heritage and Planning Scheme Policy (Amendment)*, seeks to implement the recommendations of recently completed investigations relating to local heritage and character. The proposed amendment identifies new or modified local heritage places, character areas, character buildings and local plan elements, whilst de-listing some existing local heritage places. The proposed amendment also includes revised assessment provisions in the Heritage and character areas overlay code and other operational amendments to improve the clarity and efficiency of the planning scheme with respect to matters relating to heritage and character area protection.

## 1.3. Overview of public consultation undertaken

As part of the public consultation program for the proposed amendment, Council undertook the following community engagement activities:

- a public notice was published in the *Sunshine Coast Daily* on Saturday 17 August 2019;
- written notices (letters and emails) were sent prior to the public consultation period to affected landowners (including an information sheet with an overview of the proposed amendment);
- industry newswatches were released on the commencement of public notification;
- a copy of the public notice, amendment documentation and information sheets were made available at all Council offices and Council libraries;
- a dedicated web page was published on Council's 'Have Your Say' website, including a copy of the public notice, amendment documentation, information sheets, interactive mapping and an online submission form;

- briefings were provided to key stakeholder 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
- meetings with landowners and individuals upon request; and
- responding to various phone, email and counter enquiries (including more than 200 phone/counter enquiries).

operational effect of the proposed amendment while still maintaining the purpose and effect of the proposed amendment.

## 1.4. Consideration of key issues

This report details the key issues raised in submissions and Council's response to these issues, by site or operational aspect.

Where dot points appear under a topic heading in the report, these points represent issues raised in one or more submissions.

## 1.5. Summary

Whilst the submissions raise a number of concerns, it is considered that the responses provided in this Consultation Report adequately address those concerns.

Where appropriate, changes to the public consultation version of the proposed amendment have been recommended following consideration of submissions. These changes seek to respond to matters raised in submissions and clarify and improve the operational effect of the proposed amendment.

*NOTE: Recommended changes to the public consultation version of the proposed amendment are summarised in the following sections of this report. Such recommendations are identified in bold text and are only included where a change or action is recommended in relation to the proposed amendment. If there is no recommendation corresponding to an issue raised, then no change or action is recommended in relation to that issue.*

In addition to responding to issues raised in submissions, separate drafting changes have also been identified to simplify and improve the



## 2. Local heritage places and land in proximity to a local heritage place – key issues and responses

**Total no. of submissions received: 268**

**No. of submissions in partial or complete support: 43**

**No. of submissions in partial or complete objection: 221**

**No. of information only submissions: 4**

### **Key issues raised in support of or to inform the proposed amendment:**

- The identification of the following historic sites as local heritage places:
  - 11 North Street, Yandina
  - Diddillibah Community Hall
  - Eudlo Public Hall
  - Fairview Cattle Management Area, North Maleny
  - Ferndale Homestead, Diddillibah
  - Gheerulla Community Hall
  - Gneering Shipwreck, Goat Island Maroochy River
  - Kirkdale Shipwreck, Yaroomba
  - 'Lot 71', Bli Bli
  - Maroochy River Boathouse Jetties
  - Mount Cooloom National Park
  - Muller Park, Bli Bli
  - Old Railway Bridge, Yandina
  - Settlers' Park, Pacific Paradise
  - Sims Brothers Garage, Nambour
  - St. Isidore's, Mapleton (State heritage place)
  - Trafalgar House, Buderim
  - Yandina Masonic Temple
  - Yandina proposed local heritage places, Yandina (various properties)
  - Yandina School of Arts
- The proposed removal of the following local heritage places:
  - Landsborough Butcher's Shop (former)
  - Tramway Lift Bridge over Maroochy River (in part – local heritage place component of State heritage place)
  - Salvation Army Citadel, Nambour

### **Key issues raised in objection to the proposed amendment:**

- The identification of the following historic sites as local heritage places and/or related land in proximity to a local heritage place overlay elements:
  - 45 Blackall Street, Woombye
  - 8 Campbell Street, Moffat Beach
  - Agnes Shipwreck, Maroochy River mouth
  - Belbury House, Montville (in part)
  - Conondale Hall, Conondale
  - Eudlo Methodist Church
  - Herbert Lindsey House, Buderim
  - Kenilworth Sawmill (in part)
  - Kenilworth Showgrounds and Kenilworth Public Hall
  - Lake Weyba House, Weyba Downs
  - Landsborough Court House
  - Maleny Hotel
  - Maroochydoore Scout Den (and Maroochydoore Guides' Hut) (in part)
  - Nambour Showgrounds
  - Nothling's Homestead, Curramore
  - No. 80 Schubert Road, Woombye
  - Perwillowen House, Perwillowen
  - Porter's Wood, North Maleny
  - Remnants of Mapleton Tramway
  - Sunshine Castle, Bli Bli
  - Surfair International Hotel
  - The Landsborough Tree, Golden Beach
  - Third Maleny Butter Factory
  - University of the Sunshine Coast Library, Sippy Downs
  - Whalley's Chambers, Nambour
  - William Guy's House, Buderim
  - Yandina Historic House, Yandina
  - Yandina Hotel (part)
  - Yandina Railway Gatehouse (former)
  - Yandina Uniting Church (former)
- The proposed removal of the following local heritage places:
  - Eudlo State School
  - Mapleton State School
  - Blazed Tree Boundary Marker, Pacific Paradise
  - Block A Yandina State School

## 2.1. Overview of proposed amendment – local heritage places and land in proximity to a local heritage place

A local heritage place is a place identified by Council to have cultural heritage significance, based on the framework set out by the *Queensland Heritage Act 1992* and *Planning Act 2016*.

A comprehensive assessment of historic places across the Sunshine Coast Council local government area has been conducted using the local heritage significance criteria.

Based on this assessment, the proposed amendment identifies new or modified local heritage places, as well as the removal of some existing local heritage places from the planning scheme.

The following sub-sections of this report detail the key issues raised in submissions relating to local heritage places and land in proximity to local heritage places and Council's responses to these issues.

## 2.2. Local heritage places - Maroochy North Shore and Coolum Beach area

### 2.2.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions supportive in principle, with specific objection(s): 1**

#### Lack of local heritage places in Maroochy North Shore and Coolum Beach area

- The area of Maroochy North Shore to Coolum Beach area seems poorly represented in the proposed local heritage place list. It is disappointing that there are no local heritage listings for Coolum Beach. Council should work with locals to identify worthy sites in Coolum Beach and surrounding areas.

#### Response

The investigations undertaken to support the proposed amendment included the Maroochy North Shore area and Coolum Beach. With the exception of the Kirkdale shipwreck site and Mount Coolum, no sites in Coolum Beach and surrounding areas were deemed to meet the threshold for local heritage significance.

There is a need to remain vigilant for opportunities to identify local heritage places in Maroochy North Shore, Coolum Beach and surrounding areas.

## 2.3. 'Lot 71', Bli Bli

### 2.3.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 2**

#### Support and recommendations in relation to the proposed local heritage place

- The proposal to identify 'Lot 71' at Bli Bli (also known as 'The Old Place') as a local heritage place is supported.
- The submissions recommend consultation activities in relation to the management of the site.
- Concern is expressed that there has not been adequate consultation in relation to the site previously.
- The site is recommended for identification as a State heritage place.
- An extension of the boardwalk to this site is not supported.
- A cultural heritage study of the site is recommended.

#### Response

The comments of support provided in submissions are noted.

It is intended that Council activities in relation to the site will be inclusive of proactive engagement with stakeholders.

## 2.4. Maroochy Wetlands Sanctuary, Bli Bli

### 2.4.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 1**

#### Support and recommendations in relation to the proposed local heritage place

- The proposal to identify Maroochy Wetlands Sanctuary as a proposed local heritage place is supported. The proposal will add an additional layer of protection to the site against future adverse development, as at present there is little such protection.

## Response

The Maroochy Wetlands Sanctuary is a proposed local heritage place that has significance to the history of the Sunshine Coast.

It is noted that the Maroochy Wetlands Sanctuary site is currently included within the Environmental Management and Conservation Zone under the *Sunshine Coast Planning Scheme 2014*. Part of the purpose of this zone is to ensure that areas with natural environmental values are protected for their importance in contributing to ecological sustainability and are appropriately managed to the general exclusion of most forms of development. The proposed inclusion of the Maroochy Wetlands Sanctuary as a proposed local heritage place is complementary to this intent.

## **2.5. Muller Park, Bli Bli**

### **2.5.1. Consideration of key issues in submissions supporting the proposed amendment**

**No. of submissions in support: 3**

**No. of submissions providing information only: 1**

#### **Support and recommendations in relation to proposed local heritage place**

- The identification of Muller Park as a proposed local heritage place is supported.
- There should be no further built infrastructure on the site.
- A revised cultural heritage management plan for Muller Park is required if the amendment proceeds as intended.
- The site is one of the most important sites for Kabi Kabi people north of the Maroochy River and could provide the public with an important historic link and a centre for Kabi Kabi Traditional Owners to explain their heritage. There is significant interest in this kind of use for the benefit of school students and tourists.
- Introduction of an interpretive use for Kabi Kabi heritage on the site could augment Council's application for a UNESCO Biosphere Reserve.

#### **Concerns and recommendations in relation to proposed local heritage place**

- Concerns are raised about the identification of Muller Park as a proposed local heritage place – although its significance is essentially recognised it is important that this proposal does not impact on the ongoing use of the park.
- The park has a strong connection to European history in the area.

- The current activities in the park are of value to the community.

## Response

Muller Park is a proposed local heritage place of significance to the history of the Sunshine Coast. It is also of cultural heritage significance to Aboriginal people (Kabi Kabi First Nation).

It is considered that the proposed amendment advances the recognition of the site as having cultural heritage significance.

There is a need for the site to be managed on an ongoing basis in a way that is respectful of both European and Aboriginal cultural heritage, as well as of the contemporary use values of the site as a public park.

## **2.6. Sunshine Castle, Bli Bli**

### **2.6.1. Consideration of key issues in submissions supporting the proposed amendment**

**No. of submissions in support: 1**

#### **Support for the proposed local heritage place**

- The Sunshine Castle has been listed for sale for a few years now along with the adjoining houses either side. It would be most undesirable to see this whole road frontage sold to a developer and see the castle pulled down.
- The castle is iconic to Bli Bli and the Sunshine Coast needs to retain these iconic buildings.

## Response

Support for the proposed amendment is noted. However, for the reasons identified in the section below, the Sunshine Castle is not recommended for ongoing inclusion in the proposed amendment as a local heritage place.

### **2.6.2. Consideration of key issues in submissions objecting to the proposed amendment**

**No. of submissions in objection: 163**

**No. of submissions supportive in principle, with specific objection(s): 1**

#### **Objections in relation to the proposed local heritage place**

- The costs associated with the heritage listing of the structure that would be imposed on the private owners are excessive. The building, owing to the nature of its construction, is in irreversible decline. Required works would change the appearance of the structure,

leaving the appearance of Besser blocks with areas filled by a grey concrete mass.

- The ongoing maintenance requirements that would effectively come from identification as a local heritage place would lead to the financial ruin of the current business. The Castle would then dilapidate and return to a liability for Bli Bli and the region.
- The heritage listing is counterproductive to the intent to preserve the site.
- The Castle is part of the history of the area and a significant support to local businesses - to lose it (through the impacts of local heritage place listing) would be a historical loss to Bli Bli and the Sunshine Coast, with major detrimental impacts on tourism.
- Sunshine Castle does not meet the criteria for being a local heritage place.
  - Criteria A is contested on the basis that the story of the site is seen to be related to the resilience of maintaining an unviable tourism business
  - Criteria B is contested on the basis that the site contains a deteriorating structure
  - Criteria E is contested on the basis that the building is out of character with Sunshine Coast architecture.
- The site is not appropriate as a heritage place due to:
  - the buildings age
  - the construction materials
  - the lack of relevance to local history
  - its current operation as a function centre and tourism business.
- Council should identify the Sunshine Castle as an "Iconic Building" which will allow the owners to update and maintain the property.
- Greater community value could be gained from redevelopment of the site.

#### Response

The purpose of proposing to identify the Sunshine Castle as a local heritage place was to acknowledge its significance in the history of the Sunshine Coast and to help ensure its protection from inappropriate development. It is disputed that greater community value could be gained from the redevelopment of the site where this would entail the loss of the Sunshine Castle.

From a historical/technical perspective, the Sunshine Castle would merit protection as a local heritage place. It is a unique attraction for the Sunshine Coast that marks a key point in the evolution of the Sunshine Coast tourism industry. It is a community icon and prominent landmark. For these reasons, it meets the threshold for

significance against a number of heritage significance criteria (as per the Statement of Significance in the public consultation version of the proposed amendment).

It is noted that the Sunshine Castle is already afforded protection under the current Bli Bli local plan within the *Sunshine Coast Planning Scheme 2014*, specifically within the following sections:

- *Overall outcome (h) – Development protects the Sunshine Castle as a significant landmark building and tourist attraction; and*
- *Performance Outcome PO10 – Development in the Tourism zone recognises the Sunshine Castle as a significant landmark site and tourist attraction.*

Further to this, the site is also included within the Tourism zone of the planning scheme, which is oriented towards the protection and ongoing viability of man-made tourist attractions.

Arguments relating to the age of the castle (which is almost 50 years), construction materials or the land uses on the site are not foremost considerations when determining heritage significance. It is acknowledged, however, that these are important practical considerations.

The concerns in relation to the costs associated with the heritage listing of the Sunshine Castle structure are acknowledged.

It is understood that the Sunshine Castle was constructed utilising methods that possibly do not meet current standards and that this may represent a risk for the viability of the castle structures in the long term.

It is also understood from further research that 'concrete cancer' is present in the structures on site and that the ongoing costs of building remediation and restoration would be excessive in the context of its current use.

Given the nature of these ongoing costs, it appears likely that the site would not pass the 'no prudent and feasible alternative' test for the retention of a local heritage place (an established test in Queensland planning and heritage protection law that is already incorporated into the planning scheme) on economic feasibility grounds. While engineering methods are available to preserve the buildings, the initial and ongoing costs of building maintenance are very likely to be excessive with reference to the financial capacity of a business that uses the castle structure.

#### **Recommendation:**

**Not proceed with the proposed identification of the Sunshine Castle at Bli Bli as a local heritage place in the proposed amendment.**

## 2.7. Herbert Lindsay's House, Buderim

### 2.7.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

#### Objection in relation to the proposed Land in proximity to a local heritage place overlay element

- The submitter objects to the identification of 45 Lindsay Road, Buderim in the Land in proximity to a local heritage place overlay element.
- The submitter understands the purpose of the proposal but states that there is already a buffer between this property and the Herbert Lindsay's House existing local heritage place. The submitter states that by including the property within the proposal it will be subject to restrictions that will inevitably impact any future renovations to the property. The submitter believes the Protected Housing Area in the planning scheme contains enough restrictions for potential development.

#### Response

The submitter's comments are acknowledged. In the context of buffering already provided within the local heritage place boundary, as well as the planning provisions applying to the site in question (Low Density Residential Zone, Protected Housing Area), the effective need for the Land in proximity to a local heritage place overlay element on the site is greatly diminished.

#### **Recommendation:**

- **Remove the identification of the Land in proximity to a local heritage place overlay element from 45 Lindsay Road, Buderim, in the proposed amendment.**

## 2.8. Trafalgar House, Buderim

### 2.8.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 1**

#### Support for the retention of existing local heritage place overlay element

- Trafalgar House is a rare property that has received third party recognition as an important heritage site.

- Trafalgar House could have a key role in the promotion of heritage on the Sunshine Coast and in South East Queensland.

#### Response

Support for the proposed amendment is noted.

## 2.9. William Guy's House, Buderim

### 2.9.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

#### Objections in relation to the land in proximity to a local heritage place overlay element

- The submitter objects to the proposal to include 10 Guy Avenue, Buderim in the Land in proximity to a local heritage place overlay element on account of adjacency to William Guy's House existing local heritage place (12 Guy Avenue, Buderim).
- Only the rear of the William Guy's House building itself (a much later rear addition) is visible to the public from the street.
- Arguably, the distinctive character of William Guy's House is confined to the building itself and the remnant garden of the land parcel on which it stands.
- The encroachment of double storey housing in the surrounding area has profoundly changed the physical setting of William Guy's House.
- Recent development adjacent to William Guy's House on 14 Guy Avenue, Buderim makes the inclusion of this lot within the Land in proximity to a local heritage place overlay element meaningless. Development on 10 Guy Avenue should not be subject to any further requirements than those which 14 Guy Avenue was subject to, from an equity perspective and to avoid any retrospective application of the code.
- In relation to the assessment provisions within the proposed Heritage and character areas overlay code applying to Land in proximity to a local heritage place, the standard contained within PO7 of the code (requiring development to not adversely affect the context, setting and appearance of a local heritage place) is not particularly helpful in informing the design of a building. It seems highly subjective.



## Response

The Land in proximity to a local heritage place has been identified in relation to William Guy's House, Buderim (existing local heritage place) on all neighbouring properties. This is to help ensure that future neighbouring development does not negatively impact the context or setting of this local heritage place.

Owing to the close proximity of neighbouring land parcels to the heritage significant building fabric on this site, this element is seen to be necessary.

It is acknowledged that recent development has occurred in vicinity of William Guy's House. This by itself would not justify the removal of the proposed element, which applies to future development that may take place on identified land parcels.

It is noted that the planning scheme is generally not applied retrospectively under normal circumstances. The planning scheme is generally applied on a forward-looking basis, with changes made to provisions over time to respond to current and future needs.

## **2.10. Conondale Hall, Conondale**

### **2.10.1. Consideration of key issues in submissions objecting to the proposed amendment**

**No. of submissions in objection: 3**

#### **Objections in relation to the proposed local heritage place and the land in proximity to a local heritage place overlay element**

- The identification of 1697 Maleny-Kenilworth Road, Conondale as Land in proximity to a local heritage place is opposed. The submitter believes that this will impact resale values and suggests that Council should pay 'market value' for the value lost on the property due to the restrictions. The submitter notes the Local centre zoning of the site and believes the site's commercial development potential will be restricted.
- The partial inclusion of 1691 Maleny-Kenilworth Road within the proposed Land in proximity to a local heritage place overlay element is opposed as it will decrease the value of the property.
- No support or funding has been contributed to the Conondale Hall for its maintenance, raising questions over the financing of maintenance.
- A submitter objects to the identification of Conondale Hall as a local heritage place.

## Response

Based on further review of the issues contained within the submissions, it has been determined that the Land in proximity to a local heritage place overlay element applying to 1691 Maleny-Kenilworth Road is not required, due to the position and orientation of the Conondale Hall building in relation to this land parcel, as well as the other existing planning scheme provisions applying to this land parcel (Rural residential zone).

However, in relation to 1697 Maleny-Kenilworth Road (on the corner of Maleny-Kenilworth Road and Appaloosa Drive), for reasons of its different land use zoning (Local centre zone) and the orientation of the Conondale Hall building in relation to this land parcel, there remains a need to identify this element on this site to help ensure that the development of the site does not negatively impact on the context and setting of the Conondale Hall site.

It is not envisaged that the presence of the Land in proximity to a local heritage place overlay element will have a significant effect on development potential of this site.

In relation to the Conondale Hall site, it is agreed that the Hall, like many other local heritage place-listed halls, will require ongoing maintenance to ensure its viability. This in itself does not preclude its identification as a local heritage place.

To help conserve heritage values, Council is investigating the introduction of financial incentives for private owners of local heritage places (refer to section 4. 'Other Matters' of this report).

#### **Recommendation:**

- **Remove the identification of the Land in proximity to a local heritage place overlay element on 1691 Maleny-Kenilworth Road, Conondale, in the proposed amendment.**

## **2.11. Nothing's Homestead, Curramore**

### **2.11.1. Consideration of key issues in submissions objecting to the proposed amendment**

**No. of submissions supportive in principle, with specific objection(s): 1**

#### **Support for retention of existing local heritage place, but objection to the inclusion of some building elements identified in the Statement of Significance**

- While Nothing's Homestead is supported for ongoing retention as a local heritage place, the removal of a number of structures from the

proposed local heritage place Statement of Significance for Nothling's Homestead is recommended. This includes the following structures:

- The cattle yards, which are not original
- The milking bails, which may be close to original but are dilapidated
- The southern shed ('chook shed'), which is also suffering from dilapidation
- The washhouse, which is not deemed to be original - it is stated to be mostly asbestos sheeting and a tin roof
- It is also noted that the 'post and slab' timber fences are not original to the property. Some fencing was installed in the 1980's.

#### Response

Support for the ongoing identification of Nothling's Homestead is noted.

It is acknowledged that the site remains in use as a working farm and has consequent operational requirements.

The milking bails, southern shed ('chook shed') and former washhouse are seen to be structures that may have a considerable history on the site and therefore have heritage significance. However, it is also acknowledged that these structures appear to be dilapidated with very limited future viability, likely requiring dismantling/demolition in the medium term. There is a need to investigate operational arrangements that would provide a means for the short term management of these structures with provision for their eventual demolition (accompanied by proper documentation).

#### **Recommendation:**

- **Investigate operational arrangements for the Nothling's Homestead local heritage place which can establish protocols for the management of the milking bails, southern shed ('chook shed') and former washhouse buildings.**
- **Amend the proposed Statement of Significance for Nothling's Homestead to recognise the physical status of the milking bails, southern shed ('chook shed') and former washhouse structures.**
- **Change the name of Nothling's Homestead, Witta, within the proposed amendment to 'Nothling's Homestead'.**

## **2.12. Diddillibah Community Hall, Diddillibah**

### **2.12.1. Consideration of key issues in submissions supporting the proposed amendment**

**No. of submissions in support: 2**

#### **Support in relation to the proposed local heritage place**

- The proposal to identify Diddillibah Community Hall as a local heritage place is supported.
- This place offers insight into the life of the original European settlers of the Sunshine Coast.

#### Response

Support for the proposed amendment is noted.

## **2.13. Ferndale Homestead, Diddillibah**

### **2.13.1. Consideration of key issues in submissions supporting the proposed amendment**

**No. of submissions in support: 2**

#### **Support and recommendations in relation to the proposed local heritage place**

- The proposal to identify Ferndale Homestead as a local heritage place is supported.
- The structures offer insight into the life of the original European settlers of the Sunshine Coast.
- Because of its age, the house is falling into a poor state and needs a lot of repairs – there is great difficulty in seeing the point of heritage listing in this context.
- Detailed commentary is provided in relation to the history of the building and its maintenance requirements. It would be desirable to preserve the building to ensure this piece of local history survives for another generation.

#### Response

Support for the proposed amendment is noted.

To help conserve heritage values, Council is investigating incentives that may be provided to private owners of local heritage places (refer to section 4. 'Other Matters' of this report).

## 2.14. Eudlo Methodist Church (former), Eudlo

### 2.14.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

#### Objections to existing local heritage place

- The Eudlo Methodist Church (former) existing local heritage place is not supported as a local heritage place. It is claimed that the church was only relocated to the site for a wedding in the mid-20th century. On this basis, it is seen that the only claim to significance for this place is that it was once the only church in Eudlo. It is now a private home.

#### Response

The Eudlo Methodist Church is understood to be the only church that has existed within the township. On the grounds of being the first (and only) church in the township, as well as reflecting the development of the Methodist community in Eudlo, which has existed since the 1930s, it is deemed to be significant. It is also reflective of the 'Carpenter Gothic' church style which is important to the region. The circumstances of its establishment in the town are seen to be secondary to its overriding purpose during its operational history. It is also understood that the church was built on the site and was not relocated.

## 2.15. Eudlo Public Hall, Eudlo

### 2.15.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 1**

#### Support for the retention of the existing local heritage place

- The Eudlo Public Hall existing local heritage place is supported.

#### Response

Support for the proposed amendment is noted.

## 2.16. Eudlo State School, Eudlo

### 2.16.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

#### Objections to proposed removal of existing local heritage place from the planning scheme

- The removal of the Eudlo State School listing is objected to, based on the role of the school in local history, including as a formation point for soldiers in the First and Second World Wars.
- It is suggested that the old schoolhouse could be relocated back onto the school grounds.

#### Response

The Eudlo State School, an existing local heritage place proposed for removal from the planning scheme in the proposed amendment, has been reassessed in response to this submission. The focus of the assessment was the 1925 school building, now used for administrative purposes. It is also understood that the site was used as a formation point for soldiers in the First and Second World Wars.

This assessment found that although modifications to the heritage significant fabric have taken place, including to the 1925 building, the site remains of local heritage significance.

#### Recommendation:

- **Retain the Eudlo State School as a local heritage place in the proposed amendment.**
- **Prepare and include a Statement of Significance for Eudlo State School to support its retention as a local heritage place.**

## 2.17. Gheerulla Community Hall, Gheerulla

### 2.17.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 1**

#### Support for existing local heritage place

- The identification of Gheerulla Community Hall as a local heritage place is supported as one of a number of 'Small Halls'.

#### Response

Support for the proposed amendment is noted.



## 2.18. The Landsborough Tree, Golden Beach

### 2.18.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 3**

#### Objections in relation to the proposed local heritage place and corresponding land in proximity to a local heritage place overlay element

- The submitter objects to the identification of the Landsborough Tree existing local heritage place. The submitter argues that the tree cannot be proven to be planted by Landsborough or his wife. The submitter states that the tree creates substantial damage to surrounding buildings, roads, pathways, powerlines and vehicles trying to gain access to the street.
- The submitter objects to the proposed Local heritage place boundary on the Landsborough Tree at 1 Worthington Lane, Golden Beach and the introduction of the Land in proximity to a local heritage place over 5 Worthington Lane, Golden Beach.
- The submitter requests that a number of safety issues associated with the tree be assessed as a matter of urgency.
- The submitters also request that the extent of the local heritage place be reassessed because they believe part of the canopy used to inform the boundary is from a different tree.
- A submitter has provided a photo that they believe may indicate that the tree is much younger than what is stated in the proposed amendment.
- The submitter is concerned that the introduction of the Land in proximity to a local heritage place overlay may change their development rights, lowering property values and thereby warranting compensation.

#### Response

Further analysis of The Landsborough Tree, Golden Beach (an existing local heritage place proposed for retention), has confirmed that the subject fig tree could plausibly date back to the time of William Landsborough and is likely to be at least 100 years old. It is noted that the tree has endured severe impacts, being affected by the coastal environment, pruning associated with overhead powerlines, as well as the construction of the nearby road and adjacent development.

Further to this, the site is a memorial to the explorer William Landsborough, with the existing plaque having local heritage place significance.

Accordingly, The Landsborough Tree, Golden Beach, is worthy of ongoing protection as a local heritage place.

In relation to the corresponding local heritage place boundary and Land in proximity to a local heritage place overlay elements, based on further analysis, it is proposed that the place boundary be reduced slightly on both 1 and 4 Worthington Lane, Golden Beach, with consequent reductions in the Land in proximity to a heritage place overlay, to more accurately reflect the location of the tree canopy.

Issues related to the operational management of the tree have been forwarded to the relevant section of Council for further consideration.

#### **Recommendation:**

**Revise the local heritage place boundary for The Landsborough Tree local heritage place to more accurately reflect the extent of the tree canopy, with consequent changes to the land in proximity to a local heritage place overlay element.**

## 2.19. Kenilworth Sawmill (former), Kenilworth

### 2.19.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions supportive in principle, with specific objection(s): 1**

#### Support for retention of existing local heritage place, but objection to the inclusion of some elements identified in the Statement of Significance

The submitter makes the following key points:

- The small site office building has been altered from its original state because it was white ant infested. It is not believed that it has been altered outside heritage criteria.
- The submitter is more than happy for this building to be identified as a local heritage place, but this does not extend to the grounds generally.
- There is no recollection of the original local heritage place listing of the site taking place.
- The site is subject to flooding and is also included within the Sport and recreation zone of the *Sunshine Coast Planning Scheme 2014*, which has a limiting effect.

## Response

The Kenilworth Sawmill (former) site is of significance to the history of the Sunshine Coast region. The sawmill operated from 1926 to 1991 and represents a key aspect of the region's heritage. While most of the sawmill infrastructure has been removed, there are important remnants of the sawmill operation remaining, being the sawmill office and residence. It is not envisaged that the ongoing identification of the site as a local heritage place would impede the range of uses that are envisaged for the site under the planning scheme. In practice, most of the site has archaeological importance only, which would call for monitoring for archaeological remnants when earthworks are undertaken.

Based on further analysis, the boundary for the site can be reduced in relation to its proximity to Mary River and the adjacent creek to the south to better reflect the historic boundaries of the sawmill use.

### **Recommendation:**

- **Reduce the curtilage of the Kenilworth Sawmill local heritage place in relation to the Mary River, and the adjacent creek to the south, to better reflect the historic boundaries of the sawmill use.**

## **2.20. Kenilworth Showgrounds and Kenilworth Public Hall, Kenilworth**

### **2.20.1. Consideration of key issues in submissions objecting to the proposed amendment**

**No. of submissions in objection: 1**

#### **Objection to the inclusion of the proposed local heritage place**

- The proposed local heritage place overlay element will limit the future opportunities for the Showgrounds in the growth of Kenilworth.
- The potential to yield additional information about the region's history (in reference to heritage significance criterion C) was altered in the 1950's with the addition of wings on each side of the hall and a dining area.
- At present there are no incentives offered by council to help overcome the restrictions that will be put in place. The showgrounds is managed by volunteers and depends entirely on money generated from camping, donations and grants.
- Community groups have expressed interest in building facilities on the site. As the entire grounds are flood bound the only areas that Council will allow buildings on are not in

keeping in Character or Heritage style listing. Furthermore, the community groups do not generate funds other than grants for these buildings to be constructed, so the Heritage listing would severely impact the viability of these projects getting off the ground.

- Planning provisions within the Kenilworth local plan code would be sufficient to achieve a positive site outcome, without the burden of identifying the site as a local heritage place.
- The site is subject to flooding and is also included within the Sport and recreation zone of the *Sunshine Coast Planning Scheme 2014*, which has a limiting effect.

## Response

The Kenilworth Showgrounds and Kenilworth Public Hall are significant to the history of Kenilworth and the Sunshine Coast region generally. While it is acknowledged that the hall building has been moved from its initial location and modifications have taken place, given the role of the site in the historic development of the community, measures to protect the key historic fabric of the site are seen to be appropriate.

Identification of the site as a local heritage place necessitates the consideration of additional matters in the assessment of proposed development. However, in the case of the Kenilworth Showgrounds and Kenilworth Public Hall, it is not envisaged that it would materially impede the ongoing use of the site for community-based uses that are consistent with its history and general scale.

### **Recommendation:**

**Amend the proposed Statement of Significance for the Kenilworth Showgrounds and Kenilworth Public Hall proposed local heritage place to clarify that the hall building and war memorial are the only structures of specific heritage significance.**

## **2.21. Sims Brothers Garage, Kenilworth**

### **2.21.1. Consideration of key issues in submissions objecting to the proposed amendment**

**No. of submissions supportive in principle, with specific objection(s): 1**

#### **Need to change name of existing local heritage place**

- The submitter recommends that Sims Garage existing local heritage place be renamed to be Sims Brothers Garage. Further historical information in relation to the place is supplied.

### Response

The recommended name change for this local heritage place is acknowledged.

### **Recommendation:**

**Change the name of Sims Garage existing local heritage place to ‘Sims Brothers Garage’ in the proposed amendment.**

## **2.22. Landsborough Butcher’s Shop (former), Landsborough**

### 2.22.1. Consideration of key issues in submissions objecting to the proposed amendment

***No. of submissions supportive in principle, with specific objection(s): 1***

#### **Support for proposed amendment in relation to existing local heritage place**

- Landsborough Butcher’s Shop (former) (Buck’s Bakery) should not be a local heritage place, due to renovations taking away from the character of the building.
- It is noted that the submitter appears to be under the impression that the Landsborough Butcher’s Shop (former) (Buck’s Bakery) is being proposed as a local heritage place.

### Response

The essential point made by the submission is acknowledged. To clarify, the Landsborough Butcher Shop (former) (Buck’s Bakery) is identified for removal from the planning scheme as a local heritage place in the proposed amendment. However, the site is proposed to be identified as a character building within the Landsborough Cribb Street character area, which would still afford a level of protection for the built fabric of the site.

## **2.23. Landsborough Court House, Landsborough**

### 2.23.1. Consideration of key issues in submissions objecting to the proposed amendment

***No. of submissions in objection: 1***

#### **Objections to existing local heritage place**

- The submitter specifically objects to the current Landsborough Police Station building being identified as a local heritage place. The submitter believes Council should consult more with local people to gain their knowledge.

### Response

The Landsborough Court House (an existing local heritage place) is significant to the history of the Sunshine Coast. The current police station building is included within the same land parcel and local heritage place boundary but is not regarded as having local heritage significance.

## **2.24. Maleny Hotel, Maleny**

### 2.24.1. Consideration of key issues in submissions objecting to the proposed amendment

***No. of submissions in objection: 1***

#### **Opposition to proposed local heritage place**

- The proposal will impact the viability of the business through increased costs with future works on site and therefore decreased responsiveness to competition and commercial trends.
- The proposal will result in increasing difficulty of operation owing to need for upkeep and repairs of an aging structure (reflected by Council’s formation of a discussion group of ‘timber and tin’ hotel owners to lobby for cheaper insurance).
- There is uncertainty over the definition of elements that contribute to the significance of the Maleny Hotel. Further clarification is sought in relation to the scope of heritage significance at the rear of the property.
- The proposed character area nomination is not opposed.
- It is more appropriate to nominate the Maleny Hotel as a character building rather than as a local heritage place, as this would still provide the protection Council is seeking but would reduce the extent of works that trigger assessment (with reference to Criterion E - aesthetic importance), as well as removing implications for adjoining properties.

### Response

The Maleny Hotel is significant to the history of the Sunshine Coast region, being established in 1907 and becoming an enduring feature of the town. Modifications which have occurred to the building over time have not materially affected its overall significance. While it is acknowledged that identification as a local heritage place will result in additional assessment requirements relating to the building, such provisions are seen to be appropriate in view of the heritage significance of the place.

It is noted that there have been several building extensions added to the hotel building and in the

northern part of the hotel grounds over time. These existing extensions and other structures are not deemed to be of heritage significance.

The support for the identification of the Maleny Maple Street character area is noted.

**Recommendation:**

- **Amend the proposed Statement of Significance for Maleny Hotel to clarify that existing building extensions to the hotel and other buildings located in the northern part of the site are not of heritage significance.**

## 2.25. Third Maleny Butter Factory (former), Maleny

### 2.25.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 2**

#### Opposition to proposed local heritage place

- The submitters object to the identification of the Third Maleny Butter Factory as a Local heritage place.
- Almost nothing of the original structure and purpose of the building interior remains.
- The exterior facade is present but has received several structural and cosmetic changes over the years.
- Changes to regulations governing the building with respect to use and purpose will detrimentally affect the business use of the site.
- The building does not tell a story to the community nor epitomise the Sunshine Coast lifestyle.
- The building's form and usage has varied such that it no longer represents the original state. The building's association with the dairy industry is limited and the building materials and construction techniques lack significance.
- The proposed heritage listing encroaches on the neighbouring property at 25 Coral Street.
- There are questions over the vested interests of the local heritage group in providing information to council that increases the number of heritage buildings (and consequently funding) in their area.
- Nothing has changed since the site was last proposed (and later dismissed) as a Local heritage place.

#### Response

The Third Maleny Butter Factory (former) is of significance to the local community and dairy industry, having operated as a butter factory from 1940 to 1981. While there have been some modifications to the building, it remains readily recognisable with key building features remaining intact. Based on the building form and usage, it is not anticipated that heritage listing could impose an unreasonable imposition on building operations for business uses.

Nomination of local heritage places is determined by Council based on advice from Council officers working in conjunction with an independent consultant. Further to this, it is noted that funding allocations from Council's Heritage Levy are determined on a project basis and are not based on the number of local heritage places present within a locality.

## 2.26. Mapleton State School, Mapleton

### 2.26.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

#### Objections to proposed removal of existing local heritage place from the planning scheme

- The submitter opposes the proposed de-listing of the Mapleton State School as a local heritage place. It is claimed that this is disappointing and unnecessary and that as a minimum there should be recognition of the original grounds and structures. It is further recommended that the Mapleton Observatory on site be added to this listing. The natural elements of the site (including Baxter Street running through the site) are argued to make it an important enduring historical feature.

#### Response

The Mapleton State School, an existing local heritage place proposed for removal from the planning scheme in the proposed amendment, has been reassessed in response to the submission. The focus of this assessment was the 1908 school building (Block A), the 1923 building to the north and the 1929 shed building. This assessment found that although modifications to the heritage significant fabric have taken place, including to the 1923 building, that the site remains one of local heritage significance.

It is noted that the observatory building is a recent development (2002) and is not regarded as being part of the heritage significant built fabric on site.



However, it does reflect the strong community association with the site.

**Recommendation:**

- **Retain Mapleton State School as a local heritage place in the proposed amendment.**
- **Prepare and include a Statement of Significance for Mapleton State School to support its retention as a local heritage place.**

## 2.27. Remnants of Mapleton Tramway, Mapleton

### 2.27.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

**Objections to existing local heritage place**

- The subject site contains no physical remnants of the Mapleton Tramway.
- An approved access point and associated car parking area are proposed to be established along the western area of the site (refer to planning approval MCU08/0072 - extended by Court decision and now subject to OPW19/0498 – an operational works approval).
- There is no logical reasoning for retaining the Local heritage place overlay element on the subject site.

Response

The Remnants of Mapleton Tramway existing local heritage place is significant to the history of Mapleton and the Sunshine Coast more generally, providing key evidence of earlier transportation methods used in the early- to mid-20<sup>th</sup> century. As this existing local heritage place has a significant archaeological aspect and the existence of subterranean remnants is possible, it is important that due diligence is exercised. To this end, the operational works approval OPW19/0498 contains conditions relating to the development approved on site relating to the preservation of any tramway remnants located during construction, as well as requirements for historic interpretive works relating to the Mapleton Tramway.

## 2.28. St. Isidore's, Mapleton

### 2.28.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 1**

**Recommendation of State heritage place as a prospective local heritage place**

- While it is acknowledged that St. Isidore's, Mapleton is an existing State heritage place, it should also be considered for acknowledgement as a local heritage place.

Response

Within the proposed amendment, for clarity, it is intended that there be no overlap between State heritage places and local heritage places. It is considered that identification of St. Isidore's as a State heritage place provides the appropriate level of protection for this place.

It is noted that State heritage places are identified within the planning scheme for information purposes only.

## 2.29. Surfair International Hotel, Marcoola

### 2.29.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 1**

**Support for proposed Local heritage place**

- The proposed amendment to identify the Surfair building as a local heritage place is supported.

Response

Support for the proposed amendment is noted.

### 2.29.2. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 4**

**Objection to proposed Local heritage place**

- The submitter objects to the identification of the Surfair building as a proposed local heritage place.
- The Surfair building has had a number of renovations since its original development, including the addition of balustrades, changes to building finishes, removal of signage, addition of rooftop fixtures and privacy screening.

- The proposed heritage listing covers four community title schemes and will have an effect on all of them as the schemes are managed in an interlinked way.
- There is a mounting range of maintenance concerns, including significant roof repairs, ongoing capital renewal costs and compliance costs.
- The maintenance burden required for building upkeep results in high body corporate fees.
- It is agreed that Surfair is a notable building in the Sunshine Coast's history, but for most of its life it has been neglected.
- The proposed heritage listing creates concerns on any level given the known difficulties and expense in maintaining the building currently.
- The heritage listing will obstruct the ability to carry out necessary repairs.
- There are concerns about the unknown implications of local heritage place listing for building maintenance.
- The Surfair building is something of an eyesore and provides no positive visual amenity to the Sunshine Coast in comparison with any other high rise building.
- The listing may not be consistent with the purposes of the *Queensland Heritage Act 1992* and may be subject to administrative law challenge.
- The listing has no benefits to owners and removes property rights without compensation.
- The listing will impact the value of the property.

#### Response

The concerns relating to maintenance of the Surfair Central Tower building are understood to be considerable. However, it is unlikely that identification of the building as a local heritage place would significantly change the maintenance obligations that would occur as part of the current operation of the building. Further to this, it is unlikely that identification of the building as a local heritage place will have practical implications for the engineered life of the building.

**Notwithstanding the above, Council at the Special Meeting held on 20 February 2020, resolved that Surfair International Hotel would not proceed to be nominated as a proposed local heritage place in the proposed amendment.**

This decision does not preclude the identification of the Surfair International Hotel as a proposed local heritage place in the future. Council anticipates that it will further consider inclusion of Surfair International Hotel as a potential local

heritage place as part of a future amendment to the planning scheme.

Issues relating to the process of heritage listing and the rights of affected owners are addressed in section 4. 'Other Matters' in this report.

## **2.30. Maroochy River Boathouse Jetties, Maroochydore**

### **2.30.1. Consideration of key issues in submissions supporting the proposed amendment**

***No. of submissions in support: 1***

#### **Support and recommendations in relation to the proposed local heritage place**

- The proposal to identify Maroochy River Boathouse Jetties as a local heritage place is supported.
- The structures have high social significance in the Sunshine Coast region.
- The structures are quite old and have been neglected in relation to maintenance and upkeep, with recent vandalism threatening the future of the structures.
- There is interest in repairing the structures so that they may be enjoyed by future generations.
- There is a need to collaborate with Council and other stakeholders to ensure the repair/preservation of the structures to provide an authentically iconic place to enjoy and connect with in future.

#### Response

Support for the proposed amendment is noted.

To help conserve heritage values, Council is investigating the introduction of financial incentives for private owners of local heritage places (refer to section 4. 'Other Matters' of this report).

## **2.31. Maroochydore Scout Den (and Maroochydore Guides' Hut), Maroochydore**

### **2.31.1. Consideration of key issues in submissions objecting to the proposed amendment**

***No. of submissions in objection: 1***

***No. of submissions supportive in principle, with specific objection(s): 1***

**Support for proposed extension of existing local heritage place, but objection to the inclusion of the Maroochydore Guides' Hut**

### building as identified in the Statement of Significance

- It is recommended that the Maroochyore Guides' Hut be approved for removal (and by implication not identified in the Statement of Significance) prior to the proposed extension of the Maroochyore Scout Den local heritage place taking effect.
- The Maroochyore Guides' Hut has been identified as being unfit for use.
- Due to damage to the asbestos external sheeting, roof leaks causing damage to the asbestos ceiling, non-compliant ramp and missing ant caps, the cost of repair to the building would be extensive.
- It is proposed that the Maroochyore Guides' Hut be demolished. Supporting asbestos and building reports have been supplied in support of the proposal.

It was also requested by another submission that the Maroochyore Girl Guides' Hut not be included within the amendment.

#### Response

The Maroochyore Scout Den and Hut site is of local heritage significance and is recognised as an existing local heritage place (intended for retention in the proposed amendment).

The Maroochyore Guides' Hut has recently been legally demolished.

It is also noted that the proposed Statement of Significance should refer to heritage significance criterion G, relating to the historic association of the Scouting and Guides' movement to the site.

It is further noted that the local heritage place name does not reference the Guides' use of the site, nor does the Statement of Significance correctly refer to the Guides' historic use of the site.

#### **Recommendation:**

- **Amend the proposed Statement of Significance for the Maroochyore Scout Den and Hut to:**
  - **recognise the recent demolition of the Maroochyore Guides' Hut building;**
  - **correctly refer to heritage significance criterion G, relating to the historic association of the Scouting and Guides' movement with the site; and**
  - **correctly refer to the site's buildings and the Guides' historic use of the site.**
- **Change the name of the local heritage place to 'Maroochyore Scouts' and Guides' site'.**

## 2.32. Tramway Lift Bridge over Maroochy River, Maroochy River

### 2.32.1. Consideration of key issues in submissions supporting the proposed amendment

#### **No. of submissions in support: 1**

#### **Support for removal of local heritage place overlay element (part of a State heritage place)**

- The amendment to remove the existing local heritage place overlay elements that relate to this State heritage place is supported.

#### Response

Support for the amendment is noted.

The rationale for this proposal is to avoid duplication between local heritage places and State heritage places. State heritage places are identified in the *Sunshine Coast Planning Scheme 2014* for information purposes only.

## 2.33. 8 Campbell Street, Moffat Beach

### 2.33.1. Consideration of key issues in submissions objecting to the proposed amendment

#### **No. of submissions in objection: 3**

#### **Land in proximity to local heritage place**

- Objection to the identification of properties next to the proposed new local heritage place at 8 Campbell Street as Land in proximity to a local heritage place.
- This proposal may impact on the value of the properties.
- It is not fair to impact properties that already fit into the Moffat Beach area's character.
- Development has been undertaken on one of the adjacent land parcels recently and does not require this type of control.

#### Response

8 Campbell Street, Moffat Beach is a proposed local heritage place with significance to the history of Moffat Beach and the Sunshine Coast.

In terms of the identification of the 'Land in proximity to a local heritage place', this element recognises the potential that development on adjacent sites could have on the setting and context of a local heritage place. In the case of the sites neighbouring 8 Campbell Street, it is intended that future development proposals on these sites

would be assessed for their impact on the local heritage place.

For clarification, the identification of the Land in proximity to a local heritage place overlay element is not intended to reflect the existing forms of development on these sites, rather the potential for future development on these sites to impact on the context and setting of the corresponding local heritage place. The approach taken for 8 Campbell Street is consistent with the approach taken for many other local heritage places identified in the proposed amendment.

## 2.34. Belbury House, Montville

### 2.34.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions supportive in principle, with specific objection(s): 1**

#### Specific objections to existing local heritage place

- The inclusion of 9 Western Avenue, Montville (being the principal site of the Belbury House building) is supported.
- However, the inclusion of 7 and 17 Western Avenue, Montville (being the land parcels adjacent to Belbury House) is not supported as they have no significant heritage value. The ancillary structures on these sites have no historical or heritage significance. The water tank presents a danger due to the integrity of its supporting structure.

#### Response

Belbury House is significant to the history of the Sunshine Coast region, reflecting the early development and evolution of Montville. The curtilage of the property has reduced over time as the Montville settlement developed. An important aspect of the site's context is the setting of the Belbury House building and workers' cottage within landscaped gardens including various mature plantings. This intact landscaped garden setting for the site traverses the three land parcels which comprise the existing local heritage place – 7, 9 and 17 Western Avenue, Montville and are a historic part of the larger original land holding. Accordingly, it is appropriate that these parcels remain within the local heritage place boundary as identified.

The key supporting structures on the site, being the southern shed building, water tank and tank stand reflect the history of the site as a rural property. These structures are appropriately located within the local heritage place boundary. It is noted that while concerns relating to the

structural integrity of buildings on local heritage places are the responsibility of the owner, there are existing provisions within the *Sunshine Coast Planning Scheme 2014* that allow for the removal of structures where there is no prudent and feasible alternative to their retention.

The shed in the north-eastern corner of the site is not deemed to be of heritage significance and it is intended that the Statement of Significance be amended to clarify this.

#### **Recommendation:**

- **Amend the proposed Statement of Significance for Belbury House, Montville, to clarify that the shed located in the north-eastern corner of the site is not of heritage significance.**

## 2.35. Mount Coolum National Park, Mount Coolum

### 2.35.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 1**

#### Support for the proposed local heritage place

- The proposed identification of Mount Coolum National Park as a local heritage place is supported.

#### Response

Support for the proposed amendment is noted.

## 2.36. Nambour Showgrounds, Nambour

### 2.36.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

**No. of submissions supportive in principle, with specific objection(s): 1**

#### In-principle support, with specific objections relating to the inclusion of the proposed local heritage place

- The submission provides a detailed review of the proposed Statement of Significance for the Nambour Showgrounds with the following key comments:
  - The historic significance of the Nambour Showgrounds within its locality and the wider region is acknowledged.
  - The historic significance of the former School House building is acknowledged,



but the building should not be heritage listed, because it has been relocated.

- The Scout Hall building is only the top section of the Scout Hall and not the full original building. Further to this, this building has had an extension and veranda installed.
- The historic cultural heritage significance of the former caretaker's house is questioned and suggested for removal from the Statement of Significance. It is understood that this building was constructed sometime in the 1960's and transferred to the showgrounds in the 1980's.
- It is important to know that if the showgrounds becomes a local heritage place that there will be no consequent implications for the attraction of events.
- It is important that the local heritage place listing does not impede future landscape embellishments, including the removal of vegetation that presents a human health risk.

#### Response

The proposed identification of the Nambour Showgrounds as a local heritage place is not expected to have any implications for the attraction of events to the facility.

In relation to proposed building work on the site, it is not envisaged that the identification of the Nambour Showgrounds will create a significant imposition to works that are carried out as a normal part of showground operations. Nor is it envisaged that identification as a local heritage place could significantly impact on-site vegetation management regimes, in particular in cases where there is a public health risk.

The heritage significance of the Nambour Showgrounds is largely based on the ongoing use of the site as a showgrounds facility since 1909, as well as earlier uses of the site. It is acknowledged that over the course of the site's history, a range of structures have been introduced on the site. Not all structures on the site are of heritage significance. It is accepted that most of the structures identified in the submissions are not of core heritage significance to the Nambour Showgrounds site. However, the former school building on site is a structure that is key to the heritage significance of the site and to Nambour more generally.

#### **Recommendation:**

- **Amend the proposed Statement of Significance for the Nambour Showgrounds to clarify that the former school building is the only structure of specific heritage significance.**

## **2.37. Salvation Army Citadel, Nambour**

### **2.37.1. Consideration of key issues in submissions supporting the proposed amendment**

***No. of submissions in support: 1***

#### **Support for removal of existing local heritage place**

- The removal of the local heritage place overlay element is warranted as there are no significant existing heritage structures on the site.

#### Response

Support for the proposed amendment is noted.

The rationale for this relates to the previous physical removal of the Salvation Army Citadel building.

## **2.38. Whalley's Chambers, Nambour**

### **2.38.1. Consideration of key issues in submissions with concerns in relation to the proposed amendment**

***No. of submissions supportive in principle, with specific objection(s): 1***

#### **Concerns in relation to the proposed local heritage place**

- The proposal to identify Whalley's Chambers raises concerns in relation to the commercial viability of the building.
- It would be desirable for Council to facilitate a workable solution for the site.

#### Response

The proposed identification of Whalley's Chambers as a local heritage place seeks to preserve the heritage significant building fabric of the site. While this does have the effect of imposing development requirements that do not apply to neighbouring sites, in the context of Nambour, it is considered that the identification of Whalley's Chambers as a local heritage place would not have a negative effect on the commercial viability of the building in the short to medium term.

To help conserve heritage values, Council is investigating the introduction of financial incentives for private owners of local heritage places (refer to section 4. 'Other Matters' of this report).

## 2.39. Fairview Cattle Management Area, North Maleny

### 2.39.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 4**

#### Support and recommendations in relation to proposed changes to the existing local heritage place

- The proposed local heritage place overlay element for the Fairview Cattle Management Area is supported. Historical information is provided in submissions that supports the proposed listing.
- A change in the local heritage place boundary is recommended to include the site of 'Mosman', a farm residential building that was formerly located nearby and a nearby fig tree visible in aerial photography from the 1940's.
- Inclusion of this site within the Fairview State heritage place is not supported.
- There is evidence of deterioration of the site despite a number of reports recommending its protection.
- Funding from the heritage levy should be allocated to the Fairview Cattle Management Area as a matter of urgency.
- There are concerns with the maintenance and security of the Fairview Cattle Management Area site.
- It is pointed out that the Calf Shed building is no longer present.

#### Response

Support for the proposed amendment is noted.

It is not possible to expand the local heritage place boundary for this site to include the former 'Mosman' cottage site and fig tree as part of this current amendment process. Expansion of the local heritage place boundary may be contemplated in future amendment processes. However, it is also noted that these features are understood to be peripheral in importance when compared with the existing structures on-site, and are already recognised through existing interpretive signage.

The comments made in relation to building maintenance concerns and the Calf Shed building are noted.

#### Recommendation:

- **Amend the Statement of Significance for the Fairview Cattle Management Area local**

**heritage place to remove reference to the Calf Shed building.**

## 2.40. Porter's Wood, North Maleny

### 2.40.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 2**

**No. of submissions supportive in principle, with specific objection(s): 3**

#### Objections to proposed changes to the existing local heritage place

- Objection to the inclusion of the grassed area to the east of Porter's Wood being included in the local heritage place boundary on the basis that this site is not of historic cultural heritage significance. Council has already resumed land for a roundabout on this site – to further limit its development potential is excessive.
- It is understood that new development adjacent to Porter's Wood would need to be sympathetic to the values of this place, but inclusion within the local heritage place boundary is excessive.
- The plant nursery on the western side of Porter's Wood is not sympathetic to the heritage values of Porter's Wood.
- Porter's Wood is not original scrub land, rather it is regrowth forest.

#### Response

Porter's Wood is an existing local heritage place that is proposed for retention under the proposed planning scheme amendment.

It is noted that in the proposed amendment, the local heritage place boundary for this site is proposed to be reduced to only include the forested area and the cleared area in the vicinity of the corner of Obi Lane and Porters Lane. It is a common practice to include land within the immediate vicinity of heritage significant fabric within a local heritage place boundary. The corner site is of particular importance to the public visibility and interpretation of Porter's Wood. The inclusion of this land with the Local heritage place boundary does not represent a prohibition on development, rather it would require development proposals on this land to demonstrate that they do not impact negatively on the setting and context of Porter's Wood.

Aerial imagery taken in 1958 (available through the State Government QImagery online aerial photo archive) confirms that Porter's Wood existed in a mature state at that time, similar to the nearby Mary Cairncross Scenic Reserve and Woolston

Wood. Further to this, the vegetation is identified as remnant vegetation by the Department of Environment and Science. It is therefore reasonable to assume that Porter's Wood is original remnant vegetation and not regrowth forest.

## 2.41. Blazed Tree Boundary Marker, Pacific Paradise

### 2.41.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

#### Objection to the proposed removal of existing local heritage place

- The submitter is opposed to the proposed removal of the Blazed Tree Boundary Marker existing local heritage place from the planning scheme.
- It is noted that although the scar is healing over, the tree is an old/older growth eucalyptus species which was present before most remaining Kabi Kabi residents were removed from the area around 1910-15.
- It is noted that historically Kabi Kabi people worked for early settlers. The tree is considered to signify this context and to constitute heritage fabric regardless of whether the survey blaze is overgrown.

#### Response

The comments made by the submitter are acknowledged. The context for the Blazed Tree Boundary Marker has changed and is proposed to see further change. While the blaze marker on the tree has healed over, the marker is an important remnant of the early settlement of the area, interactions between Kabi Kabi people and early settlers, and also as a link to a pre-existing vegetation community on the site.

#### **Recommendation:**

- **Retain the Blazed Tree Boundary Marker, Pacific Paradise, as a local heritage place.**
- **Prepare and include a Statement of Significance for the Blazed Tree Boundary Marker, Pacific Paradise, to support its retention as a local heritage place.**

## 2.42. Settlers' Park, Pacific Paradise

### 2.42.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions supportive in principle, with specific objection(s): 2**

#### Objection to existing local heritage place boundary – that it is not sufficient

- The existing local heritage place overlay element for Settlers' Park is supported.
- Concerns are raised to the existing boundary for Settlers' Park – that this boundary may see the values of the heritage place compromised and may present a threat to the heritage significant mango trees. It is argued that this could lead to de-listing of the site as a local heritage place.
- It is suggested that the park boundaries should be expanded to the south and west, to allow for population growth and to accommodate more users.
- The interpretive signage in the park is valuable from a historical and public information perspective and should not be removed or replaced.
- Concerns are raised in relation to the development application on site, which is argued to potentially result in the destruction of the heritage significant mango trees and divide the park into two halves.
- Information on the historic significance of the site is provided in the submissions, which includes both Aboriginal and European cultural heritage significance values.

#### Response

The local heritage place boundary for the Settlers' Park local heritage place site has been revised in a recent planning scheme amendment to better correspond with the principal heritage fabric of the site (identified as the mango trees). It is intended that the trees be protected into the future through the *Sunshine Coast Planning Scheme 2014* (which also identifies the need to protect the trees in the Maroochy North Shore Local Plan).

## 2.43. Perwillowen House, Perwillowen

### 2.43.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 5**

#### Objection to proposed local heritage place

The proposal of Perwillowen House as a local heritage place is objected to on the following grounds:

- There are other well-known, publicly accessible and recognised examples of works by the same architect, which are award winning buildings and are more suited to heritage listing.
- Perwillowen House has no public access or public purpose.
- The place has been critically evaluated previously and has been determined to not have aesthetic significance.
- There has been no architectural analysis of the site. Analysis based on secondary sources is not a fair or reasonable basis for heritage listing.
- There is no precedent for the heritage listing of a modern architect designed home against the expressed wishes of the client/owner for who the design was created and built.
- Heritage listing would invalidate important design features which make the place a success, including its privacy. Heritage listing would subject the locality to increased scrutiny.

#### Response

It is accepted that the proposed heritage listing of this site could have a negative effect in practice on the inherent design and use characteristics of this place as outlined in the issues raised above.

This is particularly the case with respect to the design features of the house that relate to site privacy, which make buildings of this kind distinct from other local heritage places which are normally readily visible from the public realm.

On this basis, it is not intended to include Perwillowen House as a local heritage place in the final version of the proposed amendment.

However, it is noted from a historical/technical perspective that the place does meet the threshold for local heritage significance for the reasons set out in the proposed Statement of Significance. Identification of a local heritage place under the local heritage significance criteria is not dependent on building age or accessibility to the public. It is

more directly linked to the heritage significance that a place represents.

#### Recommendation:

- **Not proceed with the proposed identification of Perwillowen House as a local heritage place in the proposed amendment.**

## 2.44. Shipwreck sites

The following historic shipwreck sites were discussed in submissions received:

- Agnes (Maroochy River mouth)
- Kirkdale (Yaroomba Beach)
- Gneering (Goat Island, Maroochy River)

### 2.44.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 5**

#### Support and recommendations in relation to the proposed shipwreck site local heritage places

- The proposed listing of the Kirkdale shipwreck is supported, provided that this does not impact on existing community facilities and use of Birrahl Park.
- The proposed listing of the Kirkdale is supported in the context of broader support for heritage conservation in this area of the Sunshine Coast.
- Historic information is provided in relation to the Agnes shipwreck. It is claimed that the Agnes wreck is not present, rather that the vessel was salvaged and was relaunched as the Wawoon (meaning Scrub Turkey), which subsequently operated between Bundaberg and Gladstone.
- Historic information is provided in relation to the Gneering shipwreck.

#### Response

It is not envisaged that the inclusion of the Kirkdale wreck site will have implications for existing uses of Birrahl Park.

The information provided in relation to the Agnes and Gneering shipwrecks is accepted.

#### Recommendation:

- **Not proceed with the proposed identification of the Agnes shipwreck as a local heritage place in the proposed amendment.**
- **Revise the historical context section within the proposed Statement of Significance for the Gneering shipwreck site to include**



historical information provided in the submission.

## 2.45. University of the Sunshine Coast Library, Sippy Downs

### 2.45.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

#### Objection to proposed local heritage place

- The submitter objects to the identification of the University of the Sunshine Coast Library as a local heritage place.
- The University of the Sunshine Coast is growing faster in student numbers than any other university in Queensland. The site makes a significant contribution to the local economy.
- The site has a Ministerial designation and at present no development approvals are required from Council. There is concern that the local heritage place may impact on future changes to the Ministerial designation, with additional controls adding unnecessary requirements on the University that may impact unfavourably on its future growth.
- There is a Master Plan in place for the site and the University has a vested interest in making sure that the environment of the site is maintained and enhanced in the future.
- The University will continue to ensure that future buildings will have many of the same qualities as the Library where appropriate - there is concern that the identification of the Library may set a precedent for the listing of other buildings on site, which would be undesirable.

#### Response

The Ministerial designation that is in effect over the University of the Sunshine Coast site prevails over the provisions of the *Sunshine Coast Planning Scheme 2014* at present. It is acknowledged that at a future point the Ministerial designation may need to be modified and that if this Ministerial designation were to include references to heritage protection that this would introduce an additional legal consideration in the management of the site.

However, the University of the Sunshine Coast Library is considered to be significant to the history of the Sunshine Coast for the reasons outlined in the proposed Statement of Significance. The presence of a heritage protection over this building is not considered to create an unreasonable imposition to the future development of the University.

## 2.46. Lake Weyba House, Weyba Downs

### 2.46.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

#### Objection to proposed local heritage place

The proposal of Lake Weyba House as a local heritage place is objected to on the following grounds:

- There are other well-known, publicly accessible and recognised examples of works by the same architect, which are award winning buildings and are more suited to heritage listing.
- Lake Weyba House has no public access or purpose.
- The ephemeral components of the site infer that it is unsuited to heritage listing as a long term proposition.
- There is no aesthetic significance for the place from the perspective of the general public.
- 'Queenslander' heritage buildings and those which have a place in a defined point in history have heritage significance – this property does not have this significance.
- There has been no architectural analysis of the site. Analysis based on secondary sources is not a fair or reasonable basis for heritage listing.
- There is no precedent for the heritage listing of a modern architect designed home against the expressed wishes of the client/owner for who the design was created and built.
- Heritage listing would invalidate important design features which make the place a success, including its privacy.
- The place is already generously shared with the architectural community and is volunteered for public events. The property is also extensively documented via articles, photographs and print publication.

#### Response

It is accepted that the proposed heritage listing of this site could have a negative effect in practice on the inherent design and use characteristics of this place as outlined in the issues raised above.

This is particularly the case with respect to the design features of the house that relate to site privacy, which make buildings of this kind distinct from other local heritage places which are normally readily visible from the public realm.

On this basis, it is not intended to propose inclusion of Lake Weyba House as a local heritage place in the final version of the proposed amendment.

However, it is noted from a historical/technical perspective that the place does meet the threshold for local heritage significance for the reasons set out in the proposed Statement of Significance. Identification of a local heritage place under the local heritage significance criteria is not dependent on building age or accessibility to the public. It is more directly linked to the heritage significance that a place represents.

**Recommendation:**

- **Not proceed with the proposed identification of Lake Weyba House as a local heritage place in the proposed amendment.**

## 2.47. 45 Blackall Street, Woombye

### 2.47.1. Consideration of key issues in submissions in objection to the proposed amendment

**No. of submissions in objection: 1**

**Objection to Land in proximity to a Local heritage place overlay element**

- The submitter is concerned with the southern half of 43 Blackall Street, Woombye being identified as Land in proximity to a local heritage place with reference to 45 Blackall Street. The assessment provisions relating to this element are claimed to be vague and open-ended.

Response

The Land in proximity to a local heritage place overlay element has been created to help ensure that new development near a local heritage place does not impact negatively on the context, setting and appearance of the local heritage place.

As each local heritage place has a unique context, setting and appearance, the code provisions must necessarily be interpreted through the Statement of Significance for the relevant local heritage place under consideration (found in SC6.10 Planning Scheme Policy for the Heritage and character areas overlay code).

Given the zoning and building height limits in the area (Medium density residential zone with a maximum building height limit of 8.5m), and the context of 45 Blackall Street (a traditional residential building) as a local heritage place, the Land in proximity to a local heritage place overlay element over part of 43 Blackall Street and

surrounding sites is seen to be warranted to prevent adjacent development from impacting negatively on this existing local heritage place.

## 2.48. No. 80 Schubert Road, Woombye

### 2.48.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

**Objections to existing local heritage place**

- There is very little left of the original structure of the building and therefore very little to restore.
- Extensive modifications have been made to the building.
- It was not known that the site has been identified as a local heritage place since 2014.

Response

Further research has been undertaken in relation to No. 80 Schubert Road, Woombye (an existing local heritage place). This research, which included inspection of the site, has found that significant modifications have taken place to the building, such that it would not warrant ongoing inclusion as a local heritage place.

**Recommendation:**

- **Remove No. 80 Schubert Road, Woombye, from the proposed amendment as an existing local heritage place proposed for retention.**

## 2.49. 11 North Street, Yandina

### 2.49.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 1**

**Support and recommendations in relation to the existing local heritage place**

- The existing local heritage place 11 North Street, Yandina is supported.
- The Statement of Significance for 11 North Street, Yandina lacks cohesion.
- The submission provides significant historic information in relation to the local heritage place.
- Insufficient consultation with the owner of the property in terms of notifying them of the local heritage place listing.

## Land in proximity to local heritage place – 11 North Street, Yandina

- It is too late for the Land in proximity to a local heritage place overlay element in relation to 11 North Street, Yandina, on account of existing and approved development adjacent to this site.

### Response

Support for the proposed amendment is noted.

Further information provided in the submission in relation to the early history of the property is of relevance.

In terms of the identification of the land in proximity to a local heritage place, this element is proposed in recognition of the potential that development on adjacent sites could have an adverse impact on the setting and context of a local heritage place. In the case of the sites neighbouring 11 North Street, Yandina, it is considered appropriate that future development proposals on these sites should be assessed for their impact.

### **Recommendation:**

- **Revise the historical context section within the proposed Statement of Significance for 11 North Street, Yandina, to include historical information provided in the submission.**

## 2.50. Block A Yandina State School, Yandina

### 2.50.1. Consideration of key issues in submissions supporting the proposed amendment

#### **No. of submissions in support: 1**

#### **Support for proposed removal of existing local heritage place from the planning scheme**

The submitter supports the proposed de-listing of Block A Yandina State School as a local heritage place. It is claimed that the original building has changed to accommodate modern uses. A different classification could be used for this building which is historically and culturally important to Yandina.

### Response

Support for the proposed de-listing is noted.

However, for the reasons identified in the section below, Block A Yandina State School is proposed to be retained as a local heritage place.

Consideration of key issues in submissions objecting to the proposed amendment

#### **No. of submissions in objection: 2**

#### **Objections to proposed removal of existing local heritage place from the planning scheme**

- The proposed de-listing of Block A Yandina State School as a local heritage place is opposed. It is claimed that the original building and grounds are intact and that there has been no site modification.

### Response

Block A Yandina State School, an existing local heritage place proposed for removal from the planning scheme in the proposed amendment, has been reassessed. It is concluded that although successive rounds of modifications and an on-site rotation have taken place in relation to the Block A Building (built 1902), the site remains one of local heritage significance.

### **Recommendation:**

- **Retain Block A Yandina State School, Yandina as a local heritage place in the proposed amendment.**
- **Prepare and include a Statement of Significance for Block A Yandina State School to support its retention as a local heritage place.**

## 2.51. Old Railway Bridge, Yandina

### 2.51.1. Consideration of key issues in submissions supporting the proposed amendment

#### **No. of submissions in support: 1**

#### **Support for existing local heritage place**

- It is appropriate that the Old Railway Bridge, Yandina (an existing local heritage place) is identified, although it is noted that it may require conservation work to prevent its deterioration and loss. Restoration of the old bridge for use as part of the town's footpath and bicycle network is an element of the Yandina Revitalisation Master Plan of 2009, an update of the Maroochy Shire Council's Yandina Town Centre Master Plan of 2002 that informs the current Council streetscaping works program.

### Response

The comments in relation to the site are noted and have been referred to the relevant section within Council who are responsible for the structure.

## 2.52. Yandina proposed local heritage places, Yandina

### 2.52.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 2**

#### Support for identification of proposed local heritage places

- The following proposed local heritage places in the Yandina area, identified in the proposed amendment, are supported:
  - Maroochy Co-Op Store (former)
  - Christina Low Park
  - Chambers Crossing Bridge and George Best Park.

#### Response

Support for the proposed amendment is noted.

## 2.53. Yandina Historic House, Yandina

### 2.53.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 2**

#### Objection in relation to the Land in proximity to a local heritage place overlay element

The submitter objects to the inclusion of the Buderim Ginger Factory at Yandina (50 Pioneer Road, Yandina) within the proposed Land in proximity to a local heritage place overlay element. The submitter contends that:

- The part of the site affected by the overlay is underdeveloped and retains very substantial further development opportunities.
- The heritage values associated with Yandina Historic House are already protected under the existing heritage provisions of the planning scheme.
- The new Land in proximity to a local heritage place overlay element over the site will limit the redevelopment potential of the land as the overlay element is likely to be interpreted as a development setback line (and a de facto development exclusion area) within the site.

#### Response

The Land in proximity elements corresponding to Yandina Historic House (an existing local heritage place) located on the Buderim Ginger Factory site (50 Pioneer Road, Yandina) has been reviewed.

Owing to the close proximity of the Yandina Historic House building to the Buderim Ginger Factory site, the lack of physical buffering between the building and the site, the land uses and building height that are permissible on the Buderim Ginger Factory site (Medium Impact Industry Zone, 15m building height), there is a need to retain the proposed Land in proximity to a local heritage place overlay element on the Buderim Ginger Factory site to help ensure that any development on this part of the site does not negatively affect the context, setting and appearance of the Yandina Historic House local heritage place.

It is not intended that the Land in proximity to a local heritage place overlay element operates as a development setback line or de facto development exclusion area within the site, just as this is not the intention for the proposed element more generally across the region.

#### Objections in relation to corresponding land in proximity to a local heritage place overlay element – that it should have a greater extent

- Land at the Buderim Ginger Factory at Yandina (50 Pioneer Road, Yandina) is located within the proposed Land in proximity to a local heritage place overlay element. It seems incongruous that the neighbouring industrial use (16-20 School Road, Yandina) to the west of Tea Tree Park was not also included in this element.

#### Response

The Land in proximity to a local heritage place overlay element has been created to help ensure that new development near a local heritage place does not impact negatively on the context, setting and appearance of the local heritage place.

In the case of 16-20 School Road, Yandina, the development of this site is seen to be too distant from the Yandina Historic House site to have an impact, in comparison with the Buderim Ginger Factory site.

## 2.54. Yandina Hotel, Yandina

### 2.54.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

#### Opposition to existing local heritage place

- The submitter claims that the Yandina Hotel (an existing local heritage place) is no longer a true local heritage place on the grounds of having undergone significant refurbishment and alteration since its original transportation in 1891.



- The entirety of the Hotel site should not be identified as a local heritage place as the Hotel site occupies only a small portion of the site, with the remainder of the site occupied by modern buildings which do not represent heritage at all.
- It is incorrect to say that the current facade is early or original as there is very little completely original cosmetic building structure to be seen.
- There may be some need to protect the facade of the Hotel from further alteration, but there is no basis for the whole of the site to be included in the overlay.

#### Response

The Yandina Hotel is significant to the history of the Sunshine Coast region, being established in 1888-89 and moved to its present site in 1892. The hotel has become an enduring feature of the town. The proposed Statement of Significance for the Yandina Hotel identifies the original hotel building and the early extension as the key heritage significant built fabric. Modifications which have occurred to the hotel buildings over time have not affected their overall significance. While it is acknowledged that identification as a local heritage place results in additional requirements relating to the buildings, such provisions are seen to be appropriate in view of the heritage significance of the place.

#### **Recommendation:**

- **Amend the Statement of Significance for the Yandina Hotel to further clarify that the hotel building and early extension are the only buildings of specific heritage significance.**

#### **Opposition to proposed Land in proximity to a local heritage place overlay element**

- It is unclear how development on 3 Conn Street (neighbouring site identified in the Land in proximity to a heritage place overlay element) could impact on the heritage character of the hotel, given the location of the facade fronting Stevens Street.

#### Response

Under the planning scheme, 3 Conn Street is included within the Local centre zone and has a maximum building height of 12 metres. The significant development potential afforded to this site indicates that there is a possibility that development of this site could negatively impact on the context, setting and appearance of the Yandina Hotel, if not properly managed. Accordingly, it is seen to be appropriate that the Land in proximity to a local heritage place overlay element is identified on this site.

## **2.55. Yandina Masonic Temple, Yandina**

### **2.55.1. Consideration of key issues in submissions supporting the proposed amendment**

***No. of submissions in support: 1***

#### **Support for existing local heritage place**

- The identification of Yandina Masonic Temple as a local heritage place is supported.

#### Response

Support for the proposed amendment is noted.

### **2.55.2. Consideration of key issues in submissions objecting to the proposed amendment**

***No. of submissions supportive in principle, with specific objection(s): 1***

#### **Objection to existing local heritage place**

The identification of Yandina Masonic Temple as a local heritage place should be reconsidered on the basis that this building has changed to cater for modern use. A different classification could be used for this building which is historically and culturally important to Yandina.

#### Response

As with all existing local heritage places, the cultural heritage significance of Yandina Masonic Temple has been reconsidered as part of the preparation of the proposed amendment. While it is clear that the building has changed to accommodate modern use, it is still considered to meet the threshold for local heritage significance despite these changes. It is not expected that a local heritage place will be composed entirely of original building material nor that they would adhere absolutely to the original building design. Many local heritage places have demonstrated some evolution during the period of their operation.

## **2.56. Railway Gatehouse (former), Yandina**

### **2.56.1. Consideration of key issues in submissions objecting to the proposed amendment**

***No. of submissions in objection: 2***

***No. of submissions supportive in principle, with specific objection(s): 1***

#### **Objections to existing local heritage place and proposed land in proximity to a local heritage place overlay element**

- The property has already undergone substantial alterations and renovations to the original cottage and therefore does not meet the criteria for heritage listing.
- The heritage listing will create additional costs for the management for the property and affect resale values.
- The identification of land in proximity to the heritage place is not warranted due to the size of the land parcel (996m<sup>2</sup>) which provides for substantial protection from any possible edge effects.
- A better representation of an original railway gatehouse is already located in Tea Tree Park, Yandina (recently re-located from Wharf Road, Yandina).

#### Response

As with all existing local heritage places, the status of the Railway Gatehouse (former) as a local heritage place has been reconsidered as part of the preparation of the proposed amendment.

The Railway Gatehouse (former) is significant to the history of the Sunshine Coast region, being constructed in 1889 and being the only gatehouse still located in its original position. Renovations to the site have resulted in changes but these changes have not affected the original recognisable form of the building and have not affected its overall significance. While it is acknowledged that identification as a local heritage place will result in additional requirements relating to the building, such provisions are seen to be appropriate in view of the heritage significance of the place.

In relation to the proposed Land in proximity to a local heritage place overlay element that affects parcels adjacent to the Railway Gatehouse (former), it is considered that this element is warranted due to the potential for development to occur adjacent to the Railway Gatehouse (former) site that may have a negative impact on the context and setting of this local heritage place. This is particularly so in the case of the adjacent industrial site at 50 Pioneer Road, Yandina (Buderim Ginger Factory; 1Y16424), where the identified maximum building height is 15 metres in the Height of buildings and structures overlay code mapping. The Yandina local plan code already identifies the vegetation in the north-western corner of the site as 'character vegetation' and also identifies the preservation of a landscape buffer around the site. The proposed addition of the land in proximity of a local heritage place overlay element in the north-western corner of this site complements the intent of these existing provisions as well as helping to ensure that the Railway Gatehouse (former) site is adequately protected

from negative impacts of any adjacent future development.

## 2.57. Yandina School of Arts, Yandina

### 2.57.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 1**

#### **Support and recommendations in relation to the existing local heritage place**

- The identification of Yandina School of Arts as an existing local heritage place is supported.
- Detailed historical information is provided in relation to the site, including the modifications that have occurred.
- The building requires considerable ongoing maintenance and operational upgrades.
- Further information is required in relation to possible grant support and the prospect of preparing a conservation management plan.

#### Response

Support for the retention of the Yandina School of Arts as an existing local heritage place is noted.

The heritage significance of the Yandina School of Arts remains intact despite modifications that have occurred.

To help conserve heritage values, Council is investigating the introduction of financial incentives for private owners of local heritage places (refer to section 4. 'Other Matters' of this report).

#### **Recommendation:**

- **Amend the historical context section within the proposed Statement of Significance for the Yandina School of Arts to include historical information provided in the submission.**

### 2.57.2. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions supportive in principle, with specific objection(s): 1**

#### **Objection in relation to the existing local heritage place**

The identification of the Yandina School of Arts as a local heritage place should be reconsidered on the basis that this building has changed to cater for modern use. A different classification could be used for this building which is historically and culturally important to Yandina.

### Response

The heritage significance of the Yandina School of Arts remains intact despite modifications that have occurred.

## **2.58. Yandina Uniting Church (former), Yandina**

### **2.58.1. Consideration of key issues in submissions objecting to the proposed amendment**

**No. of submissions in objection: 1**

**No. of submissions supportive in principle, with specific objection(s): 1**

#### **Objections to existing local heritage place**

- There are key matters that prejudice against the viability of the site as a local heritage place.
- The building has changed to accommodate modern uses. A different classification could be used for this building which is historically and culturally important to Yandina.
- There is a need to drain the swamp on adjoining land which was previously free draining. This historic issue is alleged to have been created by Council works conducted in the 1980's. The submitter claims that the sitting water under the building is due to Council raising the water table and creating a health hazard that did not exist before.
- There is a need to fill the site, specifically under the old church, to bring it up and above current ground level to stop water pooling under the building.
- There is a need to raise the church and re-stump it to make it structurally sound.
- There are safety concerns in relation to the adjacent Council reserve (21 Farrell Street).
- The preparation of a full report and cost analysis by a Council engineer has been requested.

In addition to the above points, it is queried as to the degree to which Council is able to fund renovations on the site to make the heritage building structurally sound.

### Response

As with all existing local heritage places, the cultural heritage significance of Yandina Uniting Church (former) has been reconsidered as part of the preparation of the proposed amendment.

Modifications which have occurred to the buildings on site over time have not affected its overall significance. While it is acknowledged that

identification as a local heritage place will result in additional requirements relating to the building, such provisions are seen to be appropriate in view of the heritage significance of the place.

Council is investigating financial incentives for private owners of local heritage places (refer section 4. 'Other Matters').

Concerns in relation to on-site drainage and safety issues relating to the adjacent reserve do not directly relate to the proposed amendment and have been forwarded to the relevant section of Council.

#### **Land in proximity to a local heritage place**

- The identification of land in proximity to a local heritage place at 17 Farrell Street, Yandina (Yandina Feed Barn) is opposed on the grounds that restrictions on land use based on heritage and character can impede the use of the site for business.
- Council has not provided sufficient detail in relation to the land in proximity to a local heritage place overlay element.

### Response

The Land in proximity to a local heritage place overlay element has been identified on the subject site to the south of the Yandina Baptist Church (former) local heritage place, due to concerns that future development on the subject site could negatively affect the context, setting and appearance of the Yandina Baptist Church (former).

The subject site is located within the Local centre zone and has a building height limit of 12 metres in the *Sunshine Coast Planning Scheme 2014*. Development of this site, if undertaken without due regard to the Yandina Baptist Church (former) local heritage place, could impact negatively on the heritage values of this place.

## **2.59. Nomination of new local heritage places**

**No. of submissions: 14**

A number of prospective local heritage places have been nominated in submissions received. This includes queries relating to the non-inclusion of sites within the proposed listings.

### Response

Council is not able to include nominated heritage places into the proposed amendment package. The proposal of a local heritage place is subject to procedural requirements, which includes investigations, the development of a proposed amendment and a public consultation process.

However, all nominated prospective heritage places have been noted for future investigation. The timing of such future investigations has not been determined. Pending the outcomes of these investigations, it is possible that these places may be proposed by Council as local heritage places in future.

**Recommendation:**

- **Note all prospective local heritage places nominated in submissions for future investigation.**

### 3. Character areas and character buildings – key issues and responses

**Total no. of submissions received: 108**

**No. of submissions in partial or complete support: 25**

**No. of submissions in partial or complete objection: 82**

**No. of information only submissions: 1**

#### **Key issues raised in support of the proposed amendment:**

- The identification of the following character areas, character area boundary changes or character building elements:
  - The Yandina Character Area and proposed extensions
  - The extension of the Woombye Blackall Street Character Area
- The identification of one character building in the Palmwoods Character Area.
- The desirability of nominating a number of additional character buildings within Palmwoods.

#### **Key issues raised in objection to the proposed amendment:**

- The identification of the following character areas, character area boundary changes or character building elements:
  - Eudlo Rosebed Street Character Area
  - Kenilworth Character Area
  - Landsborough Cribb Street Character Area
  - Landsborough East Character Area
  - Maleny Maple Street Character Area
  - Moffat Beach Character Area
  - Nambour Lower Blackall Terrace Character Area
  - Nambour Magnolia Street Character Area
  - Nambour Netherton Street Character Area
  - Palmwoods Character Area
  - Woombye Blackall Street Character Area
  - Yandina Character Area

#### 3.1. Overview of proposed amendment character areas

A character area is an area in which the historical origins and relationships between the various elements create a sense of place and demonstrate important aspects of the history of the locality in which the area is situated.

Such character areas are currently identified in the planning scheme to protect these areas from inappropriate development.

Under the proposed amendment, some existing character areas are proposed to be expanded or contracted in their spatial extent. Two new character areas are proposed at Maple Street, Maleny and Moffat Beach.

Within each of the character areas, a number of buildings have been identified as a 'character building'.

The following sub-sections of this report detail the key issues raised in submissions in relation to character areas and character buildings and Council's response to these issues.

#### 3.2. Character areas – general issues

##### 3.2.1. Consideration of key issues in submissions supporting the proposed amendment

#### **Concerns raised in support of character areas**

- Character areas are supported (both support for individual character areas and generalised support was received).
- The planning scheme will not be capable of protecting a character area from State infrastructure.
- Character Areas are generally supported but restrictions on development are not.

#### Response

State agencies operate under different requirements that exclude the need to adhere to the standards contained within local government planning schemes. However, in processes related to State infrastructure development, it is customary for State agencies to give full consideration to the requirements contained within local government planning schemes and to accommodate these in the design of infrastructure to the maximum degree practicable.

In relation to development requirements that apply to character areas, these are seen to be necessary to give effect to a character area in the planning



scheme. In order to provide meaningful protection for built character, there is a need for corresponding planning controls. Generally character area elements by themselves do not constitute a significant imposition on development potential.

Character building elements entail a higher level of planning control to provide the necessary protection for the character buildings that exemplify the character of an area. These buildings provide a key point of reference for new development.

### **Nominated character area extensions and character buildings**

A number of character area extensions and character buildings were nominated in submissions across the character areas.

#### Response

New character area and character building overlay elements are not able to be incorporated into the proposed amendment at this stage of the process.

The proposal of a character area or character building overlay element is subject to procedural requirements, which includes investigations, the development of a proposed amendment and a public consultation process.

However, all nominated prospective character area extensions and character buildings have been noted for future investigation. The timing of such future investigations has not been determined. Pending the outcomes of these investigations, it is possible that these nominations may be included in a proposed amendment by Council in the future.

#### **Recommendation:**

- **Note the suggested character area extensions and character buildings nominated in submissions for future investigation.**

### **3.2.2. Consideration of key issues in submissions objecting to the proposed amendment**

#### **Concerns in relation to poor building condition**

- A range of comments were received in relation to the condition of character buildings, including the following:
  - The proposed character building is in poor condition and does not contribute positively to the street.
  - The proposed character building presents a safety hazard.
  - It is not feasible to maintain a character building due to its poor condition.

#### Response

It is recognised that some character buildings, by their nature, will require attention to their overall viability over time. The planning scheme already makes provision for the legal demolition of existing character buildings where it can be demonstrated that they are not capable of structural repair, or where there are overriding health, safety or economic considerations. These provisions are intended to continue under the proposed amendment.

#### **Concerns in relation to alterations and authenticity**

- A number of submissions objected to the identification of properties as character buildings on the basis that they have no historic or heritage values, with comments such as:
  - The proposed character building was previously located elsewhere.
  - The proposed character building has been extensively renovated, is not original and has no historic or heritage value.

#### Response

Character buildings are considered to be important contributors to the character of an area for a number of reasons including historical, architectural or streetscape character values.

A character building may have been altered in form or location but, nonetheless, possesses characteristics in the current building form that are important to the character of the area and are consequently worthy of protection.

#### **Concerns in relation to financial implications**

- Comments received in relation to financial implications of character area/building identification include the following:
  - Increasing cost of insurance due to the age of the building and increasing land values is becoming financially problematic.
  - Character building and character area identification will impact the resale value of properties.
  - There is uncertainty about the impact on rates, insurance costs and land tax.
  - Council should contribute to funding for repairs and maintenance.

#### Response

It is acknowledged that older buildings can be more expensive to insure. However, these higher costs are understood to be primarily associated with the building materials involved and the costs

associated with repairs. These costs exist for the life of a building irrespective of whether a place is identified as a local heritage place or as part of a character area.

Character areas by themselves are unlikely to have an impact on rates or land tax. It is possible that the identification of a character area may have a positive impact on land values if properties within such areas become sought after for the greater certainty of amenity that a character area can provide.

Council is investigating financial incentives for private owners of local heritage places (refer section 4. 'Other Matters').

### Concerns in relation to property rights

- Comments received that related to this theme included the following:
  - Character building identification impinges on the rights of property owners and is unjust.
  - Council should purchase properties if they wish to have full control.

#### Response

The identification of character areas within planning schemes is a common practice in Queensland, alongside the identification of other planning scheme requirements like zoning, maximum building heights and the protection of valuable environmental features. The role of character areas is vital in helping to protect the unique built identity of key areas in the region from the effects of inappropriate development.

Further clarification of heritage, character and property rights is included in section 4. 'Other Matters' in this report.

### Concerns in relation to operational and application requirements

- Comments received in relation to this aspect included the following:
  - Objections to the identification of the character areas and character buildings generally.
  - There are already measures in the Planning Scheme to protect the general feel and design of development and the additional overlays are an unnecessary hurdle.
  - There are no clear guidelines for what a property owner can and cannot do.
  - Character areas will deter property maintenance.

- The property owner does not wish to pay to apply to Council to make changes to the building's appearance.
- Additional processes should not be required for demolition.

#### Response

Character areas provide for a more detailed and comprehensive application of design requirements where this is necessary to avoid development that may compromise the identified character and general amenity of an area.

While it is acknowledged that local plan provisions within the planning scheme can provide for design requirements, these are usually more general in nature and do not apply to all new buildings.

The planning scheme, through the Heritage and character areas overlay code and associated planning scheme policy, provides clear guidance on what owners may or may not do within a character area. In addition to this, as part of the public consultation for the proposed amendment, Council has published Information Sheets relating to character areas generally, as well as specific information sheets for the proposed Maleny Maple Street and Moffat Beach character areas (available online at:

<https://haveyoursay.sunshinecoast.qld.gov.au/historic-cultural-heritage>

There are already 12 existing character areas identified within the planning scheme. Experience to date does not suggest that the character area elements have become a deterrent to property maintenance. Rather, character areas tend to have a higher level of general amenity, reflecting their more unified historically-based character and possibly a higher degree of local pride in the appearance of the area.

For many proposed developments, location within a character area will not be the sole cause for a planning application to be required. However, where an element in the Heritage and character areas overlay code of the planning scheme is the sole cause for an application to be required, it is Council's existing policy that such applications may be made to Council without any application fee.

#### **Concerns in relation to consultation**

- Council should consult with character area property owners on an individual basis.
- Council has ignored requests for individual inspection.

#### Response

For this planning scheme amendment, Council has conducted public consultation in accordance with statutory requirements and general best practice

(refer to section 1.3 in relation to consultation activities undertaken).

It is not Council's practice, nor is it within Council's resources to undertake detailed consultation activities with individual affected owners prior to public consultation of a proposed planning scheme amendment. Owners affected by a change to the Heritage and character areas overlay were provided with written notice shortly before the commencement of public consultation. During and following the public consultation period, Council staff met with directly affected parties to discuss the proposed amendment on a property-specific basis.

### 3.3. Eudlo Rosebed Street Character Area

#### 3.3.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support, subject to changes: 1**

##### Support for the proposed existing character area

- The existing character area is supported. Further specific details and recommendations are provided in support of the character area.

##### Response

Support for the proposed amendment is noted.

#### 3.3.2. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

##### Objection to the identification of an existing character building

- The General Store at 9-11 Rosebed Street, Eudlo should not be identified as a character building.
- Significant investment has been made in the property at 9-11 Rosebed Street and its identification as a character building results in a loss of development rights.

##### Response

The current *Sunshine Coast Planning Scheme 2014* identifies 9-11 Rosebed Street (General Store) as a character building within the Eudlo Rosebed Street Character Area. In Eudlo, the General Store plays an important role in reinforcing the rural character and amenity of the town centre.

The proposed amendment seeks to more clearly identify character buildings through a mapped element on the Heritage and Character Areas Overlay.

Only relatively minor changes are proposed to the planning scheme provisions relating to character buildings. These provisions are considered appropriate to protect the historical, architectural or streetscape character values that character buildings contribute to character areas.

### 3.4. Kenilworth Character Area

#### 3.4.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

##### Comments in objection to the character area

- There is a concern that more populated areas of the Sunshine Coast have minimal heritage listings compared to places like Kenilworth which have more than 95% of the main street either identified or proposed to be identified as a local heritage place and/or a character area.
- All of the main commercial area and balance of private homes on Elizabeth Street, Kenilworth are identified as local heritage places or within character areas to some degree.

##### Response

Heritage and character areas are identified across the Sunshine Coast, reflecting the presence of earlier surviving built fabric in the areas that were settled earlier.

The presence of heritage and character is generally a key contributor to the amenity and identity of the places where it exists. In many hinterland towns, the presence of heritage when combined with a setting of rural and natural landscapes offers a key attraction and point of difference from other places on the Sunshine Coast which derive their amenity and identity from the presence of beaches, waterways and coastal landscapes.

Kenilworth has a high proportion of heritage and character protection which responds to the strong presence of these features within the town. In this sense, Kenilworth is comparable to Eumundi and Eudlo, with similar characteristics observable in the larger towns of Landsborough, Palmwoods and Yandina.



### 3.5. Landsborough Cribb Street Character Area

#### 3.5.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 2**

##### Comments in objection to the identification of a character building

- The character building identified at 489 Old Landsborough Road, Landsborough is unjustified due to the asbestos building materials present in the structure.

##### Response

The current planning scheme identifies a local heritage place (Landsborough Jeweller's Shop (former)) at 489 Old Landsborough Road, Landsborough. The proposed amendment seeks to remove the site as a local heritage place and instead proposes to identify the building as a character building within the proposed extension of the Landsborough Cribb Street Character Area.

Further assessment of this building has shown that the components which are of character significance are capable of being maintained for ongoing use.

##### Comments in objection to the identification of a character building

- The character building identified at 24 Cribb Street is not supported as it is just a 'Queenslander'.
- Five of the old 'Queenslander' houses in the Landsborough Cribb Street Character Area are mostly in need of repair.

##### Response

Under the proposed amendment, 16A, 18, 20, 22 and 24 Cribb Street are proposed to be identified as character buildings within the existing Landsborough Cribb Street Character Area.

The properties identified contribute to the significance of the character area. These houses are characteristic of Queensland houses in the early 20th century. While some buildings may require repairs, it is not seen that this would preclude their identification as character buildings.

### 3.6. Landsborough East Character Area

#### 3.6.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

##### Comments in objection to the identification of the character area and character buildings

- The cultural heritage of Landsborough as a town is dependent on buildings that have been moved there.
- The character building elements at 14 and 16 Caloundra Street, Landsborough are not justified as they were relocated to their present location in the 1970's.
- The buildings are also said to be structurally unsafe.

##### Response

At present, character buildings are not specifically identified within the existing Landsborough Eastern Residential character area in the Planning Scheme. The proposed amendment seeks to reduce the extent of the existing character area and identify 4 buildings as character buildings including at 14 Caloundra Street and part of 16 Caloundra Street.

Character buildings may be considered as important contributors to the character of an area for a number of reasons including the presence of historical, architectural or streetscape character values.

A character building may have been altered in form or location but, nonetheless, possesses characteristics in the current building form that are important to the character of the area and is consequently worthy of protection.

The planning scheme already makes provision for the legal demolition of existing character buildings where it can be demonstrated that they are not capable of structural repair, or where there are overriding health, safety or economic considerations. These provisions are intended to continue under the proposed amendment.

### 3.7. Maleny Maple Street Character Area

#### 3.7.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 1**

**No. of submissions in support, subject to changes: 2**

#### Support for Maleny Maple Street character area generally

- The Maleny Maple Street character is something that is highly valued by the local community, as well as visitors to the region. This is also recognised by some local businesses who actively promote the character and heritage values of Maleny.
- Consideration should be given to expanding the proposed character area, to ensure that all future commercial development retains a similar character to that of Maple Street.

It is noted that there were no submissions of support for individual character buildings.

#### Response

The comments in favour of the proposed amendment are noted.

#### 3.7.2. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 10**

**No. of submissions supportive in principle, with specific objection(s): 1**

#### Objections to Maleny Maple Street character area generally

- Objections to the proposal for the Maleny Maple Street character area were generally based on the following grounds:
  - Many of the buildings included in the character area are recent structures and have no heritage or character value.
  - The proposed character area includes buildings that have no historic merit or that are contradictory or distracting from the Maple Street streetscape.
  - There is nothing unique or of regional vernacular architecture that creates a sense of space, place or community.
  - Maple Street has a random collection of buildings built during different periods and

they generally lack high quality street appeal.

- The current planning scheme provisions within the Maleny Local Plan provide sufficient and effective criteria to ensure future development is sympathetic to the Maple Street character and the inclusion of an additional overlay would simply provide for additional and unnecessary regulation.

#### Response

Maple Street is a substantial main street that reflects the strong historic growth and development of Maleny and surrounding region, being first settled by Europeans in the 1870s.

Whilst there are a number of later commercial buildings constructed in Maple Street, predominantly at the eastern and western extremities, there are still a significant number of buildings that have been identified that generally exemplify the identified character of the area.

The commercial premises in Maple Street in particular have become a key part of Maleny's identity. For this reason, there is a need to ensure that the built character of Maple Street is effectively managed so as to maintain and enhance the historic cultural heritage of the street.

#### Maleny Maple Street character buildings

- Submissions were received objecting to the inclusion of the following as proposed character buildings:
  - 5 Maple Street
  - 9 Maple Street
  - 16 Maple Street
  - 47 Maple Street
  - 49 Maple Street
  - 56 Maple Street
- The submitters in general objected to the proposal for inclusion of the aforementioned character buildings in the proposed Maleny Maple Street character area on the following grounds:
  - There is not anything unique or of a regional vernacular that warrants inclusion as a character building.
  - The building has undergone extensive recent renovations.
  - Limited significant heritage values of the buildings remain.
  - Listing greatly limits future development opportunities (alteration or removal).
  - No evidence of a detailed heritage investigation of the architectural elements

of the buildings and their heritage significance has been provided.

- The listing is an unreasonable and unfounded imposition.
- There is no justification for designating the existing buildings, nor the balance area of the site.
- There are structural uncertainties in the existing buildings.
- The cost of keeping the buildings safe structurally is going to be cost prohibitive and restrict or perhaps prevent future development of this site.

#### Response

Within the proposed Maleny Maple Street character area, a significant number of character buildings have been identified that generally exemplify the identified character within the area.

The street includes a mix of buildings dating from the early 1900s and the immediate post-World War II period. Notably, there are a number of traditional ‘timber and tin’ single-storey shops, a common building type in the region in the first half of the twentieth century.

Whilst these character buildings include a variety of building types exhibiting different architectural styles and some historical modifications, they remain as general exemplar buildings, useful in providing inspiration for the design of future buildings and building modifications in the area, even for buildings that have a different intended purpose.

Further review has determined that the viability of 56 Maple Street (Watson’s Garage) as a character building is effectively compromised on account of the construction materials and methods utilised in this building, as well as other reported structural uncertainties.

#### **Recommendation:**

- **Not proceed with the proposed identification of 56 Maple Street (Watson’s Garage), Maleny, as a character building in the proposed amendment.**
- **Maintain reference to 56 Maple Street (Watson’s Garage), Maleny, as a building that contributes to character within the proposed Statement of Significance for the Maleny Maple Street character area.**

## **3.8. Moffat Beach Character Area**

### **3.8.1. Consideration of key issues in submissions supporting the proposed amendment**

**No. of submissions in support: 6**

**No. of submissions in support, subject to changes: 2**

#### **Support for the proposed character area**

A number of comments were received in support of the proposed Moffat Beach character area, including the following:

- The proposed amendment will mean that the character of Moffat Beach is retained and enhanced. It also means that small blocks will not be covered in inappropriate large houses that do not suit the character.
- There appears to be an understanding that the old beach house appearance of Moffat Beach is what makes it special.
- Character areas deliver certainty for buyers - that Council won’t be allowing some concrete monstrosity to be built next door.
- The guidelines for the character area deal with external appearances. It is not really clear how they hinder designers and architects in achieving contemporary living and commercial spaces.
- Character buildings may need to be handled on a case-by-case basis as owners will need flexibility to replace deteriorating materials, renovate and demolish in some cases. Character buildings should be identified on a voluntary basis with owners.
- The submitter had no issues living with character requirements in a character building in Brisbane.

#### Response

Support for the proposed amendment is noted.

#### **Buildings pre-dating the identified character**

- If a house is even older than the identified character, then the design attributes should be able to be kept in new development.

#### Response

The identified character of the proposed Moffat Beach character area relates to post-war beach houses. This is the built character that has contributed most to the distinctive identity of Moffat Beach. While it possible to propose other building designs, it is the intent of the proposed

amendment that the identified character be represented in new development.

### Research process and Statement of Significance

- While there is general support for the amendment, there is a need for further research into the Statement of Significance – which is seen as highly prescriptive and lacking in rigour. There are no criteria against which an assessment of significance is made. Detailed recommendations are submitted for the improvement of the Statement of Significance.

#### Response

The proposed Statement of Significance for the Moffat Beach character area, like other such statements for character areas, is intended to provide the necessary information to enable the more detailed assessment of incoming planning applications. It operates in conjunction with the Heritage and character areas overlay code, which contains planning provisions that assist in determining the compatibility of a proposed development with the identified character. It is considered that the statements of significance are 'fit for purpose' in enabling the assessment of planning applications, as well as providing general information about the character of an area.

Nevertheless, some revisions to the proposed Statement of Significance for the Moffat Beach Character Area are considered appropriate, taking into account the matters raised by the submitter.

#### **Recommendation:**

- **Amend the proposed Statement of Significance for the Moffat Beach character area to clarify the area's key characteristics and how terminology is used within the statement.**

### 3.8.2. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 34**

**No. of submissions supportive in principle, with specific objection(s): 8**

#### Objections to the proposed character area generally

Comments received included the following:

- There is support for the general intent of the proposal, but not for many specific aspects.
- There has been some recent inappropriate development in the Moffat Beach area.

- The principle of retaining the charm and lifestyle of Moffat Beach is supported. A degree of control is warranted but not to the extent proposed.
- The submitter supports the 8.5 metre height limit and would like future development to be low impact with a light foot print. Renovations or demolition works should be encouraged but not regulated.
- The character of the area is already protected through existing planning scheme provisions preventing units and townhouse development. Existing local plan provisions can be expanded and elaborated on instead of a character area being introduced.
- Objection to proposed changes in Caloundra Local Plan Code, including PO29 – specifying contemporary coastal built form for Local Centre outside of Moffat Beach but traditional local character where in Moffat Beach.
- The character area occurs informally – incorporating it into the planning scheme is unnecessary. The proposal is unnecessarily limiting for owners and the area generally.
- Council should trust residents to look after their own patch – the area is unique because of the beautiful beach and the beautiful weather, not because of the houses.

#### Response

Moffat Beach is currently included within the Caloundra Local Plan area of the planning scheme. While it is acknowledged that local plan provisions within the planning scheme can provide for local design requirements, these are usually more general in nature and do not apply to all new buildings.

There is a need for specific protection of the character of Moffat Beach against future inappropriate development that may occur. In order to provide meaningful protection for the built character of Moffat Beach, there is a need for corresponding planning controls.

Character areas provide for a more detailed and comprehensive application of design requirements to avoid development that may compromise the identified character and general amenity of an area.

Generally, character area overlay elements by and of themselves do not constitute a significant imposition on development potential.

#### Objection to proposed character area – threat to attractiveness of Moffat Beach

- The submitter believes that the proposal will result in a loss of local charm and attraction of

the Moffat Beach area and this would impact negatively on local businesses.

### Response

There are already 12 existing character areas identified within the planning scheme in other locations on the Sunshine Coast. Experience to date does not suggest that the character area elements have become a deterrent to property maintenance. Rather, character areas tend to have a higher level of general amenity, reflecting their more unified historically-based character and possibly a higher degree of local pride in the appearance of the area.

### **Objections to proposed character buildings**

- The character area is supported, but there is strong disagreement with character buildings being nominated.
- Supports the protection of character in Moffat Beach but not at the expense of the 12 home owners.
- There is a need to re-examine the identification of character buildings, which will be severely affected by the proposal.
- Character buildings are not feasible – they are too expensive to maintain, not fit-for-purpose or built to a modern standard.
- Many of the homes designated as character buildings have changed from their original form, so the point of nominating them is not clear.
- The proposed character buildings are not representative or attractive.
- Many character buildings provide little aesthetic appeal to the area's housing landscape.
- The nature of building practices from the character period may be inherently problematic, including problems associated with quality, orientation and scale for permanent living. The buildings used poor quality materials and cheap construction. These homes should not be mandated for retention in the interest of maintaining a satisfactory standard of living. It is unreasonable to make property owners conform to this style because times have changed.
- Beach houses were never intended to be long-standing structures and were designed as holiday houses, not permanent residences. The design was driven by post-war desperation and was not of architectural quality.
- There are concerns about asbestos in the proposed character buildings and human

health. Removal of old beach houses should be considered as a health requirement, rather than insisting that residents retain them.

- Preserving the Moffat Beach feel should be encouraged but it is important to know that the majority of old beach houses were designed as holiday retreats not for living. Additionally, the building materials were all asbestos - roof and walls. These houses are hot as hell in summer and freezing in winter.
- Necessary repairs to a character building would become impact assessable, involving additional time, cost and risk – renovations and redevelopment are also significantly more difficult.
- During an impact assessable application, demolitions will be opposed by the same minority that drove the amendment, potentially leaving property owners with valuable land and a building that cannot be upgraded.
- The additional costs and time delays associated with planning applications in the character area are objectionable. There are concerns over whether consideration has been given to the cyclone-proof and sustainability standards of these (character) buildings. There are also concerns over whether the cost of meeting Australian Standards within the guidelines has been considered.
- There is a difference between the Brisbane market for Colonial and Queenslander buildings with high building standards and significant character value – no similar demand has been seen for Moffat Beach beach houses.

### Response

Within the proposed Moffat Beach character area, 12 character buildings were nominated as part of the proposed amendment as generally exemplifying the identified built character for the area.

The nomination of character buildings occurs across all character areas. Character buildings are subject to a higher level of planning control in order to provide the necessary protection for the character buildings. These buildings provide a key point of reference for a character area generally as well as for the design of incoming development.

In the case of the character buildings nominated for Moffat Beach, it is acknowledged that there are important differences between the 12 character buildings nominated and character buildings found in other character areas across the region. While character buildings in other areas are typically based on 'timber and tin' or masonry construction, the 12 character buildings identified for Moffat



Beach are more lightweight structures based on the use of fibro and other inexpensive materials.

Further to this, it has been reinforced by submissions received that the character buildings nominated for Moffat Beach generally reflect a different construction tendency – one that was based on the inexpensive (and often improvised) construction of holiday houses for non-permanent occupation. This would contrast with most character buildings located in other character areas, which were generally constructed for the purpose of permanent long-term occupation.

Submissions have also reinforced that the designs of the nominated character buildings are less climatically sensitive and functional in a modern context than residential buildings from earlier and later eras. When considering that the use of these buildings has generally changed from non-permanent to permanent occupation, this is a notable practical consideration.

On account of the above factors and the evidence obtained during public consultation and subsequent analysis, the proposed character buildings identified for Moffat Beach would appear to have limited long-term practical viability as a class of buildings.

On this basis, the nomination of the proposed 12 character buildings for Moffat Beach is not practically feasible.

Nonetheless, the 12 character buildings identified for the proposed character area do provide a highly valuable point of reference for local character and therefore they should continue to be referenced in the Statement of Significance for the Moffat Beach character area as examples of buildings that contribute to character.

The management of asbestos remains the responsibility of building owners and is governed outside of the planning system. Owners with concerns about the safety of asbestos within their buildings are encouraged to visit [www.asbestos.qld.gov.au](http://www.asbestos.qld.gov.au) to obtain further information and guidance.

#### **Recommendation:**

- **Not proceed with the proposed identification of the 12 character buildings within the Moffat Beach character area.**
- **Maintain reference to these 12 buildings as buildings that contribute to character within the proposed Statement of Significance for the Moffat Beach character area.**

#### **Objections to identified character for the character area**

- It is unclear why other areas have not been included e.g. Golden Beach. Many other suburbs on the Sunshine Coast demonstrate similar aspects of culture and history.
- It is unfair to focus on Moffat Beach when development is permitted to interrupt the coastal landscape of significance elsewhere.
- Character buildings and the character area were arbitrarily selected – it is unclear why one style of building is being selected when many houses depict the evolution of the area.
- It is unclear how 7% of the properties can be considered to be representative of the character of the area.
- There is a lack of rigour in the research undertaken – assessment based on a drive-by and not a more thorough assessment.
- The character area may discontinue the area's evolution, resulting in a homogeneous development outcome.
- Council is out of touch with the character of the area and the assessment criteria are too narrow.
- It is unlikely that project home builders will have designs that match the Moffat Beach character. An architect will be required, which will add to costs.
- The proposal limits the exploration of other unique forms of architecture that can still fit the character and lifestyle belonging to Moffat Beach.
- The proposal restricts individual choice beyond usual building parameters, limiting creativity and design in the area.
- The character area will enforce an illogical, unrealistic and outdated idea of 1960's character – there needs to be more leniency in the approval process.
- The balance of the character area is too fragmented to be considered a character area.
- Character protections have come too late, as there is already significant development. The proposed amendment penalises those who have not already developed their properties. Many of the older homes have already been removed to make way for more modern homes that better suit the climate. Subdivision and dual occupancy has occurred.
- Buildings either side of 19-19A Roderick Street have not been identified as character buildings (i.e. 1940's buildings).

It is also noted that the boundaries of the character identification were criticised by proponents of the

character area, who made comments such as the following:

- The character building list for the Moffat Beach proposed character area is not rigorous. More work is recommended with the local architectural community.

#### Response

Moffat Beach has a unique character on the Sunshine Coast. It most strongly reflects a broader post-war coastal development trend focused on the development of beach houses. Other parts of the Sunshine Coast saw a similar beach house development trend. However, the subsequent redevelopment of these areas has caused major changes to their building fabric and land use, and consequently a change in their character.

It is not intended that the character area will block creativity or exclude project home builders. Contemporary buildings already within the area reflect elements of the identified character. It is not expected that new buildings replicate the original character buildings, rather that new development is complementary to the identified character.

In relation to the identification of character buildings, these were identified through on-ground investigations. Buildings that generally exemplify the identified character of the proposed character area were nominated. This identified character is targeted in nature and does not include all older Moffat Beach houses.

It is noted that it is no longer intended to identify character buildings within the Moffat Beach character area.

#### **Objections to the spatial extent of the proposed character area**

- There is no basis for the extent of the boundaries of the proposed area – why is the first row along Buccleugh Street excluded and one allotment in Seaview Terrace included?
- 13 Buccleugh Street and the playground at the beachfront are notable exclusions from the character area.
- Clarification is sought on the basis for the boundaries of the proposed character area, noting particularly the exclusion of Seaview Terrace.
- It is unclear why Raintrees Resort has not been included in the proposed overlay.
- The Local centre-zoned land should not be included in the proposed character area. It is unclear how commercial property can be integrated in the character area.

It is also noted that the boundaries of the character area were criticised by proponents of the character area, who made comments such as the following:

- The boundary of the character area could be extended to include the remainder of Kingsford Smith Parade, Bryce Street, Roderick Street, Nothling Street, Grigor Street and Buccleugh Street (from the bridge to Grigor Street).
- The Moffat Beach proposed character area should be extended to include the eastern side of Seaview Terrace and to the west over Buccleugh Street to include post-war beach houses.

#### Response

The boundary of the character area has been structured to avoid street faces or major sites where the identified character is poorly represented, does not exist or is likely to be threatened. This includes:

- Both sides of Buccleugh Street, where the presence of this major road and non-residential forms of development compromise the achievement of the desired character and form a natural boundary for the character area. For these reasons, 13 Buccleugh Street is not considered to warrant inclusion in the proposed character area.
- Seaview Terrace, which although containing several buildings that pre-date the identified character, also contains a large number of buildings that do not reflect the identified character.
- Raintrees Resort, being a site with a distinctively different built form and pattern of ownership.

The playground area within Moffat Beach forms part of the modern centre area facing onto Seaview Terrace. Although it is certainly a part of the modern Moffat Beach, it is spatially detached from the historically-based character area.

The Local centre-zoned land on the northern side of Roderick Street is seen to be a valid inclusion within the character area. While the character area has an orientation towards residential development, this is not intended to exclude commercial and mixed use development that is permissible in the Local centre zone. It is intended that new buildings in this area demonstrate designs that are complementary to the desired character for the area.

#### **Objections to the inclusion of the southern side of Grigor Street within the character area**

- The southern side of Grigor Street should not be included within the Moffat Beach character

area. This side of the street was never for holiday houses, rather it was for permanent residential homes. These homes were built on larger allotments (not being from the M.J. Moffat residential subdivision) with detached dwellings that demonstrated different materials, more expansive gardens, larger dwelling sizes and more substantial frontages. This results in a different streetscape on the southern side of Grigor Street.

#### Response

The points made in the submissions are acknowledged. The southern side of Grigor Street effectively demonstrates a different history and physical built form that is quite distinctive from the narrow lot layout and building forms seen in the M.J. Moffat subdivision.

#### **Recommendation:**

- **Remove the Grigor Street road reserve and land on the southern side of Grigor Street from the proposed Moffat Beach character area.**
- **Make consequential changes to the Statement of Significance for the Moffat Beach character area to reflect the recommendation above.**

#### **Objections based on owner's rights**

- Owners should have the ultimate say in how their properties are developed, this right should not be taken away.
- Owners' rights are being taken away for a questionable purpose.
- Council should let progress take its course.
- The character area provisions are at risk of being ignored by property owners, who will just freely renovate their properties. New development may significantly depart from character by the inclusion of modern features.
- Where is the evidence of a similar proposal in another area of Australia?

#### Response

Similar to other planning provisions relating to development, such as zoning and building heights, Council has the ability to identify private properties within character areas in order to protect these properties from inappropriate development. These actions are carried out under responsibilities established by the *Planning Act 2016*.

The proposed amendment has been prepared to update Council's existing identification of local heritage places and character areas. It has been prepared in a manner that is consistent with the practices of other local governments in Queensland and elsewhere.

As part of the process, Council has sought to modernise its local heritage places and character areas by allowing for the inclusion of more recent developments. This reflects a trend being seen in heritage protection more broadly. The built character present at Moffat Beach reflects a significant part of Sunshine Coast history and culture and is seen to warrant protection through the planning scheme.

#### **Objection to character area based on difficulty in practical application**

- The implementation of the provisions will be problematic and inconsistently applied due to the mixed character of the area and the 'strict but ambiguous' code.

#### Response

For new development, it will be necessary to ensure that design proposals are complementary to the identified character. The proposed character requirements offer a necessary degree of flexibility to allow for creative interpretations of the local character.

#### **Objections to proposed character area – property values**

The introduction of the character area could cause a reduction in property values and other adverse financial consequences, in particular character buildings. Buyers may be averse to character considerations.

- The commercial development potential of some properties will be impacted.
- There will be a detrimental impact on new modern homes in a neighbourhood with declining older homes.

#### Response

It is acknowledged that the introduction of a character area will result in additional planning requirements for new development. However, within the Moffat Beach context, it is not envisaged that the introduction of a character area by itself will result in a reduction in property values. In the long term, operating in conjunction with other planning scheme provisions (e.g. Low Density Residential Zone, Protected Housing Area, Caloundra Local Plan – Precinct LPP-2) it is possible that the presence of a character area will give greater certainty to buyers on account of the controls applying to building character.

It is noted that the identification of character buildings is no longer recommended in Moffat Beach (see above).

### Objections to proposed character area – future proposals

- If adopted, the character area could be expanded in the future and character buildings are a precursor to full heritage listing.

#### Response

It is noted that character buildings are no longer proposed to be included in the proposed Moffat Beach character area (see above).

Like any part of the Sunshine Coast local government area, it is possible that sites within the Moffat Beach character area may be nominated as a local heritage place in future planning scheme amendments. Such nominations would be based on the methodologies employed at the time and would be subject to further investigation public consultation.

### Objection to proposed character area – roofline elements

- Skillion roof lines are a character feature in the area, but a 3 degree roof pitch should be acceptable.
- A variety of roof styles would be in order and not just the skillion roof.

#### Response

It is considered that the skillion roof form is a key defining feature of the built character of Moffat Beach. Within the characteristics set out in the proposed Statement of Significance, there is allowance for considerable variation, including through the use of multiple roof skillions.

Roof pitch is an important characteristic of this component of the identified character. A 3 degree roof pitch (except where used for a garage structure) would be out of keeping with this identified character for the area. Greater roof pitches were required in the original Moffat Beach beach houses to ensure proper roof drainage and avoidance of the infiltration of water into the structure, with the building technology to achieve 3 degree roof pitches not existing at the time of the area's post-war development.

The proposed Statement of Significance specifies a 7 to 15 degree roof pitch.

#### **Recommendation:**

- **Amend the proposed Statement of Significance for the Moffat Beach character area to indicate that a 3 degree roof pitch may be acceptable in the construction of detached garage structures.**

### Objections to character area - fencing elements

- Inclusion of fences in the description of character does not correspond to modern privacy and safety concerns, as well as traffic on Roderick Street. It is suggested that the front fence proposal be limited to the back streets (excluding Roderick Street).
- Objection to the inclusion of fencing and scale requirements. Fencing regulation should be limited to the street face.

#### Response

An element of the historic Moffat Beach character is the relative absence of boundary fencing. While the influence of modern development has changed this, it is still able to be partially interpreted from the openness of the streetscape on Nothling Street. It is accepted that Roderick Street has a different context to the remainder of the character area in this sense.

#### **Recommendation:**

- **Amend the proposed Statement of Significance for the Moffat Beach Character Area in relation to property fencing, to allow for the inclusion of conventional side and rear fences, and front fences for properties located on Roderick Street.**

### Consultation processes

- The consultation process has not been sufficient. There should be more community involvement.
- Is there evidence that the stakeholders support the proposal?
- There was a lack of community support shown for the proposal at the 16 September meeting.

#### Response

The purpose of the public consultation undertaken by Council in relation to the proposed amendment was to understand community views in relation to the proposals. Issues have been identified through consideration of community submissions and other feedback, which have facilitated further analysis and revisions to the original proposal.

Refer to section 4.3 in relation to community consultation processes.



## 3.9. Nambour Lower Blackall Terrace Character Area

### 3.9.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 3**

#### Comments in objection to the identification of a character area and character building

- The existing Nambour Lower Blackall Terrace Character Area should be removed particularly in relation to 5-7 Blackall Terrace and neighbouring properties.
- Council's restrictions have stopped the property owner from improving the (fibro/asbestos) façade of their house.
- The character restrictions in the Nambour Lower Blackall Terrace Character Area are outdated and unjustified.

#### Response

The dwelling at 5-7 Blackall Terrace is currently identified as a character building in the Nambour Lower Blackall Terrace Character Area. The proposed amendment seeks to remove the character building designation but retain the property in the Character Area.

The presence of the character building overlay element can make some proposed Building work assessable against the Heritage and Character Areas Overlay Code. However, inclusion of land in a character area overlay element by and of itself does not.

Consequently, if the amendment is adopted and the character building designation at 5-7 Blackall Terrace is removed, the property owner may make improvements to the building (where defined as Building Work and not a Material Change of Use) without requiring assessment against the Heritage and Character Areas Overlay Code.

#### Comments in objection to the identification of a character building

- The Nambour Lower Blackall Terrace Character Area should not be extended to include 26 Blackall Terrace, Nambour.
- Significant modification has occurred in the neighbourhood such that it bears little resemblance to the original character.
- The added control is unnecessary.
- The designation will impact on property resale values.
- The character building designation at 41 Blackall Terrace, Nambour should be removed

on the basis that the house has been renovated to keep in character with the neighbourhood but has very little original materials or features.

#### Response

The proposed amendment seeks to extend the Nambour Lower Blackall Terrace Character Area to include a number of properties including 26 Blackall Terrace and 41 Blackall Terrace, Nambour. A character building designation is also proposed on 41 Blackall Terrace.

The issues of alterations and authenticity, application requirements and financial impacts are addressed in section 3.2 'Character areas generally' of this report.

The proposed Statement of Significance for the Nambour Lower Blackall Terrace Character Area recognises that although some of these houses have been altered over time, their basic form and presence in the street make a key contribution to the identified character.

#### Comments in objection to the identification of an existing character building

- The character building designation at 20 Blackall Terrace, Nambour should be removed on the basis that significant building alteration has occurred. There should not be additional application processes for demolition.

#### Response

The dwelling at 20 Blackall Terrace is currently identified as a character building in the Nambour Lower Blackall Terrace Character Area. The proposed amendment seeks to retain the property in the Character Area as a character building, although modifications have occurred to this building.

Character buildings may be considered as important contributors to the character of an area for a number of reasons including the presence of historical, architectural or streetscape character values.

A character building may have been altered in form or location but, nonetheless, possesses characteristics in the current building form that are important to the character of the area and is consequently worthy of protection.



### 3.10. Nambour Magnolia Street Character Area

#### 3.10.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 1**

##### Comments in objection to the identification of a character area and character building

- Both Mary Street and Elizabeth Street in the Nambour Magnolia Street Character Area have been compromised by newer dwellings.
- It is not appropriate to identify the building at 10 Elizabeth Street, Nambour as a character building on the basis that it has been significantly altered and no longer represents the original house.
- Identification as a character building will lower the resale value of the property.
- The proposed amendment impinges on the rights of rate-paying property owners and is unjust.
- Applications to Council should not be needed for changes to the appearance of the house.

##### Response

While Mary Street and Elizabeth Street in Nambour have seen more recent development, they still remain substantially intact from a built character perspective, consistent with the remainder of the character area.

The current planning scheme identifies the Nambour Magnolia Street Character Area but does not identify any specific character buildings.

The proposed amendment specifically identifies a number of character buildings, including 10 Elizabeth Street, Nambour within the Nambour Magnolia Street Character Area.

While it is acknowledged that 10 Elizabeth Street has been altered from its original form, it nonetheless demonstrates many of the elements that are characteristic of the Nambour Magnolia Street Character Area.

The issues of financial implications, property rights and application requirements are addressed in section 3.2 'Character areas generally' of this report.

### 3.11. Nambour Netherton Street Character Area

#### 3.11.1. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions supportive in principle, with specific objection(s): 1**

##### Comments in objection to the identification of an existing character building

- The character building designation at 52 Blackall Terrace, Nambour will affect plans to preserve and reorientate the house.

##### Response

The dwelling at 52 Blackall Terrace, Nambour is identified as a character building in the Nambour Netherton Street Character Area in the current planning scheme. The proposed amendment seeks to retain this character building designation.

Under both the existing and proposed provisions, the relocation or demolition of a character building would require an Impact assessable application to Council to ensure that the existing identified character and streetscape is maintained.

This treatment is considered appropriate given the important contribution of the character building to the character of the area.

The matter of maintenance costs is addressed in section 4. 'Other Matters' of this report.

### 3.12. Palmwoods Character Area

#### 3.12.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 5**

##### Comments in support of a character area and character buildings

- The character building designations at 1 Jane Street, and 11 Main Street (CWA Building), Palmwoods are supported.
- Buildings that thrive in Palmwoods are those which have been restored. The ES&A Bank and staff residence, the Station Master's house and the Old Bakery (which has a development approval on the site) have this potential.

##### Response

Support for the proposed character building designation at 1 Jane Street is noted.

The proposed amendment includes a significant extension of the existing Palmwoods Character Area including the addition of new properties along Margaret Street, Hill Street, Church Street, Jane Street and Main Street.

### 3.12.2. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions supportive in principle, with specific objection(s): 3**

#### Comments in objection to the identification of character buildings

- While the Palmwoods Character Area is generally supported, 5 and 7 Hill Street, Palmwoods should not be identified because the houses are not unique and do not have historical value.

#### Response

Further research has been undertaken in relation to these proposed character buildings at 5 and 7 Hill Street. On the basis of this research, it is acknowledged that the residential building at 5 Hill Street has undergone significant previous modifications that would preclude it from inclusion in the character area as a character building. However, the residential building at 7 Hill Street demonstrates character values and therefore warrants ongoing inclusion as a character building in the proposed amendment.

#### **Recommendation:**

- **Not proceed with the proposed identification of 5 Hill Street as a character building in the proposed extension to the Palmwoods character area within the proposed amendment.**

#### Objection to proposed character area extension

- Development limitations should not be placed on 1 Fewtrell Street, Palmwoods because the building has undergone numerous alterations.

#### Response

1 Fewtrell Street, Palmwoods is proposed to be included within the existing Palmwoods character area (but not as a character building).

These assessment requirements are considered appropriate to ensure that this kind of development retains the existing character of the area. It is not anticipated that a character area overlay element in and of itself would significantly affect the development potential available on site.

## 3.13. Woombye Blackall Street Character Area

### 3.13.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 1**

#### Comments in support of the character area

- The extension of the Woombye Blackall Street character area is supported and could be extended further to include Wakefield Street as far south as Dinmore Street, noting that this is another entry point to Woombye.
- There has been development growth in Woombye in recent years and it is not clear whether Council has a plan to manage the effects of this growth, particularly in relation to parking.
- The submitter believes that a similar amount of funding should be allocated to Woombye as that which was allocated to Palmwoods for the recent landscaping project.

#### Response

Support for the proposed extension of the Woombye Character Area is noted.

The extension to the existing character area as identified in the proposed amendment is intended to enable a more comprehensive coverage of the historic town centre of Woombye, covering the eastern entrance to the town centre from Nambour Connection Road (Old Bruce Highway and the original location of Cobb's Camp or Woombye) and the western entrance from Woombye Railway Station.

Residential areas to the south of the township in the area of Dinmore Street are not seen to make the same contribution to character as those areas located within the proposed character area.

Transport infrastructure needs are outside of the scope of the proposed amendment. However, Council has a suite of strategies to address the transport infrastructure needs of the Sunshine Coast including Woombye within the Sunshine Coast Integrated Transport Strategy.

The development of streetscaping and landscaping projects is also outside of the scope of the proposed amendment. Comments in relation to the funding of landscaping in Woombye have been forwarded to the relevant section of Council for further consideration.

### 3.13.2. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 2**

**No. of submissions supportive in principle, with specific objection(s): 1**

#### Comments in objection to the identification of a character building

The character building designation at 39 Blackall Street, Woombye should be removed on the basis that:

- The property is zoned Medium density residential and is appropriately located for higher density development.
- While the property has degraded stained glass windows, it also has a number of serious building issues and is nearing the end of its habitable life.

#### Response

The proposed amendment includes an extension of the existing Woombye Character Area to include additional properties along Blackall Street and Pinegrove Road, Woombye. The proposed amendment also includes identification of 39 Blackall Street as a character building.

The issue of poor building condition is addressed in section 3.2. 'Character areas generally' of this report.

It is considered that retention of the existing building on 39 Blackall Street may be achievable in conjunction with the realisation of medium density residential development on this site. It is noted that character areas already occur within the Medium density residential zone in other towns (e.g. Nambour Magnolia Street Character Area) and that medium density residential development and character preservation can occur in tandem if well designed and carefully managed.

However, the viability of 39 Blackall Street as a character building is effectively compromised on account of the construction materials and methods utilised in this building, as well as other reported structural issues.

#### **Recommendation:**

- **Not proceed with the proposed identification of 39 Blackall Street, Woombye, as a character building in the proposed amendment.**
- **Maintain reference to 39 Blackall Street, Woombye, as a building that contributes to character within the Statement of**

### **Significance for the Woombye Blackall Street character area.**

#### Comments in objection to the identification of character buildings

- A number of buildings in the proposed extension of the Woombye Blackall Street Character Area are not worthy of protection and have no cultural value.
- The character building elements proposed at 14 and 30 Blackall Street, Woombye will diminish the value of these properties, resulting in a severe financial imposition.

#### Response

Character buildings may be considered as important contributors to the character of an area for a number of reasons including the presence of historical, architectural or streetscape character values.

A character building may have been altered in form or location but, nonetheless, possesses characteristics in the current building form that are important to the character of the area and consequently worthy of protection. This is the case for 14 Blackall Street, Woombye (which is currently identified as a character building in the planning scheme), as well as 30 Blackall Street (proposed for inclusion in the character area and as a character building).

#### Spatial identification of a character building element

There is a need to reconsider the identification of the character building overlay element on 9 Blackall Street, Woombye as this covers the entire lot, however the character building occupies only a small portion of the lot.

#### Response

The point made in the submission is acknowledged. The character building on 9 Blackall Street, Woombye occupies a relatively small portion of the lot. The character building element on this site could be revised to better reflect the location of the character building whilst excluding other modern building elements on the site.

#### **Recommendation:**

- **Amend the identification of the character building overlay element on 9 Blackall Street, Woombye, to reflect the location of the character building on the site and to exclude the modern buildings on the site.**

#### Comments in objection to a character area

- Council has neglected the area in terms of maintenance and infrastructure it is therefore surprising that Council now believes this area to be worthy of preservation.

#### Response

These concerns regarding maintenance and infrastructure do not relate directly to the proposed amendment and have been forwarded to the relevant area of Council for attention.

It is noted that the Woombye Blackall Street Character Area already exists within the planning scheme. It is proposed to be extended within the proposed amendment.

### 3.14. Yandina Character Area

#### 3.14.1. Consideration of key issues in submissions supporting the proposed amendment

**No. of submissions in support: 3**

##### **Support for character area and character building**

- The extension of the Yandina Character Area is supported.
- Recognition of the heritage and character values on Stevens Street is supported.
- The character building at 13 Stevens Street, Yandina is supported but funding assistance for repairs and maintenance is requested.

#### Response

Support for the proposed amendment is noted.

Refer to the response provided in the section below, in which a reduction of the proposed character area extension is recommended.

The matter of heritage incentives and maintenance is addressed in section 4. 'Other Matters' of this report.

#### 3.14.2. Consideration of key issues in submissions objecting to the proposed amendment

**No. of submissions in objection: 8**

**No. of submissions supportive in principle, with specific objection(s): 7**

##### **Comments in objection to the character area as proposed**

- Most buildings within the Yandina character area are not of historic significance.

- The proposed character area will limit the potential development that could retain and enhance the character of the area.
- The southern end of Farrell Street is comprised mainly of new buildings.
- The heritage look of Yandina needs to be preserved but the proposed expansion of the character area is opposed.
- Council has not provided sufficient detail in relation to the proposed character area.
- Yandina should not be limited by reliance on its past.
- The proposals do not make sense in the context of the development that is present.
- The character area and the recent streetscaping negatively impact existing long term small businesses that rely on traffic, close parking, truck and large vehicle parking.
- Development in Yandina needs to respond to the residential growth in the area.
- The character area will restrict businesses being able to deliver a rapidly growing community what it needs – the proposed amendment represents a decision that contributes to the stagnation of small towns.
- The business community of Yandina is divided in opinion in relation to the proposed amendment, although the importance of local heritage as an attractor is acknowledged.
- Identification of sites as a character buildings will deter commercial investment in similar buildings in the area.
- The identification of 20 Farrell Street as a character building (and its inclusion within the proposed character area extension) is not supported.
- The identification of 8 Farrell Street as a character building (and its inclusion within the proposed character area extension) is not supported on the basis that the building has been significantly altered and does not meet the description of a character building. The building is in poor condition and does not contribute positively to the street.

#### Response

It is noted that a number of submissions supported the recognition of heritage and character values on Stevens Street but objected to the extension of the existing character area to include properties located on Farrell Street.

The intent of the proposed extension to the existing Yandina character area was to ensure that development in this broader extended area would

be compatible with key character elements in Yandina.

The submission comments regarding the need for commercial redevelopment opportunities associated with residential growth in Yandina are acknowledged in part.

In relation to the junction of Stevens Street and Farrell Street, it is considered that this is an important extension of the existing character area, vital to the achievement of character protection in Yandina. This area, comprised of retail and community development, as well as undeveloped land on the north-west corner of Stevens and Farrell Streets, is recommended to remain as a proposed character area.

Other parts of the proposed character area on Farrell Street (including the character building sites of 8 Farrell Street and 20 Farrell Street), are not intended for ongoing identification as a character area in the proposed amendment.

It is noted that the existing Yandina Local Plan includes detailed provisions intended to protect and reinforce the character and identity of Yandina (most notably, the inclusion of Farrell Street in the Primary Streetscape Treatment Area).

It is considered that the existing provisions in the planning scheme provide for development opportunities whilst appropriately addressing character and streetscape issues on much of Farrell Street.

**Recommendation:**

- **Not proceed with the proposed Yandina Character Area element and associated character building elements for the following properties in Yandina:**
  - **3, 4, 6, 8, 10, 12, 17, 18 (part), 18A, 19, and 20 Farrell Street**
  - **1 Fleming Street**
  - **2 Old Gympie Road**
- **Make consequential changes to the proposed Statement of Significance for the Yandina character area to give effect to the removal of the properties listed above.**



## 4. Other matters

### Key issues raised in support of the proposed amendment:

- There is a need for the proposed amendment.
- Council should implement heritage incentives and essential maintenance requirements.

### Key issues raised in objection to the proposed amendment:

- Objections to specific elements of the assessment provisions in the Heritage and character areas overlay code.
- Deficiencies in the public consultation process.
- The proposed amendment is not in the interest of the community and enforces undue constraints on Sunshine Coast properties.
- The amendment will restrict, complicate and prevent future planning and development.

### 4.1. Caloundra Lighthouse View Protection Area

#### 4.1.1. Consideration of key issues in submissions supporting the proposed amendment

##### Exclusion of 4 Arthur Street, Kings Beach from the Lighthouse View Protection Area

- It seems odd that 4 Arthur Street is not included in the Lighthouse View Protection Area.

##### Response

The Lighthouse View Protection Area was first identified in the (former) Caloundra City Plan 2004. Within this planning scheme, Lot 24 on RP42595 (at 4 Arthur Street, Kings Beach) was included in the Protection Area.

At the time of drafting the Sunshine Coast Planning Scheme 2014, the Lighthouse View Protection Area was generally translated from the Caloundra City Plan 2004 however, 4 Arthur Street was not included.

The proposed amendment seeks to include a small number of additional properties within the Lighthouse View Protection Area but does not propose to reinstate the inclusion of 4 Arthur Street.

The purpose of the Lighthouse View Protection Area is to ensure that development does not interrupt significant views from, and towards, the Caloundra Lighthouse.

Because the Caloundra Lighthouse is identified as a State Heritage Place, a proposal for a Material Change of Use development at the Caloundra Lighthouse site or on adjacent properties (including 4 Arthur Street) would be assessable development in accordance Schedule 10 of the *Planning Regulation 2017*. Given that this assessment process would seek to protect the values associated with the Caloundra Lighthouse, including view lines, it is considered unnecessary to also include land adjacent to the Caloundra Lighthouse in the Lighthouse View Protection Area.

### 4.2. Heritage and character areas overlay code provisions

#### 4.2.1. Consideration of key issues in submissions supporting the proposed amendment

##### Support for proposed assessment provisions

- The changes to the Heritage and character areas overlay code are commended.
- There is a need to consider the assessment provisions in view of the more significant heritage-related development applications that have occurred.

##### Response

The points made in the submissions are acknowledged. The heritage and character area assessment provisions have been reviewed based on operational experience as part of the investigations leading to the proposed amendment.

Further changes to the assessment provisions are identified in the section below.

#### 4.2.2. Consideration of key issues in submissions objecting to the proposed amendment

##### Objection to proposed assessment provisions – signage and materials

- Existing buildings should not be subject to signage limitations.
- Heritage provisions should support newer material products in the market place (e.g. the ability to substitute a composite chamfer board for solid timber).

##### Response

The existing *Sunshine Coast Planning Scheme 2014* requires that new advertising devices proposed on a local heritage place or in a character area are subject to assessment by Council against the Heritage and character areas

overlay code. This assessment is considered appropriate given the significant impact the siting and design of an advertising device can have on important historic, cultural and aesthetic values of these places.

In relation to the use of building materials, the assessment provisions contained within the proposed amendment specify the use of materials that are compatible with the conservation of a local heritage place or character building. This does not exclude the use of modern materials. The focus is on ensuring that the use of modern materials contribute to a high quality conservation outcome.

#### **Objection to proposed assessment provisions – character buildings outside of character areas and relocated local heritage places**

- The amendment does not contain a mechanism for preserving character buildings outside of a character area - the mechanism for adding these seems to rely on future amendments.
- Some local heritage buildings have been relocated. The original locations of these buildings should be marked as significant sites and reasons given for their relocation.

#### Response

It is acknowledged that the proposed amendment does not identify character buildings outside of character areas. At this point in time, no basis has been identified for such a protection.

In relation to the original location of local heritage buildings being identified as significant, it is seen that non-legal or interpretive mechanisms can achieve this outcome. The original sites of local heritage buildings would be very unlikely to meet the threshold for local heritage place significance in the planning scheme on account of the lack of physical built fabric on the site.

#### **Objection to proposed assessment provisions – architect review**

- The provisions of the Heritage and Character Areas Overlay Code do not appear to have been adequately tested by an architect.
- The code provisions should also include 'lot size' which has been overlooked as an important consideration of the character of housing/built form.
- Code provisions are too prescriptive and do not allow for alternative design outcomes. The provisions does not consider that structural support for timber buildings needs to occur at the outer edge and recessing walls back 1m may not be practical/achievable.

#### Response

The provisions of the planning scheme codes are largely based on model codes produced by the State government for planning schemes. As part of the proposed amendment, refinements have been made to the Heritage and Character Area Overlay Code provided based on a broader review, including operational experience with the code. As each local heritage place or character site is unique, the standards in the code are necessarily general in nature.

The recommendation in relation to including 'lot size' as a relevant matter is acknowledged, as it is already a relevant matter in PO2 of Table 8.2.9.3.1 (for local heritage places).

The comment relating to the enclosure of an under storey area of a character building, is an established requirement that is implemented elsewhere in Queensland. It is seen to be appropriate for character buildings in the Sunshine Coast context. However, in order to avoid prescriptiveness and to allow for alternative design solutions, it is possible to incorporate this provision as an acceptable outcome.

#### **Recommendation:**

- **Revise PO1 and PO2 in Table 8.2.9.3.2 of 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 for character areas.**
- **Revise PO5 in Table 8.2.9.3.2 (for character areas in the Heritage and character areas overlay code) to move PO5(a) from the Performance Outcomes to the Acceptable Outcomes column of the table, as an Acceptable Outcome that partially fulfils the purpose of PO5.**
- **Move the revised PO5 to the code sub-section 'Modifications to Character Buildings' for clarity.**

#### **Objection to proposed assessment provisions – general implementation**

- There is insufficient clarity in relation to how the amendment will be implemented in practice as the guidelines and criteria are quite vague.
- There are concerns relating to the restriction of growth and development, cost of compliance and potential openness for interpretation.

#### Response

Heritage and character protection is invariably a matter that requires a site specific focus. Detailed information has been set out in the proposed

amendment in relation to proposed local heritage places and character areas. This forms the key information that, when used in conjunction with the Heritage and character areas overlay code, provides the basis for the assessment of planning applications. There is a need for the planning provisions to have some scope for interpretation, to facilitate optimal planning outcomes. It is considered that there is a suitable balance between detail and scope for interpretation in the proposed amendment.

Further review of the proposed amendment has identified the need to define the scope of assessable building work more specifically, to exclude maintenance works that do not affect the external visual appearance or integrity of the elements that contribute to the significance of a local heritage place from assessment. This change will reduce the regulatory requirements applying to local heritage places, by avoiding the need to make applications for works that are not likely to have significant consequences for a local heritage place.

#### **Recommendation:**

**Amend Table 5.10.1 (for Heritage and Character Areas Overlay Code - local heritage places) in relation to Building work not associated with a material change of use, to exclude maintenance works that do not affect the external appearance or integrity of the elements that contribute to the significance of a local heritage place from assessment.**

### **4.3. Consultation process**

#### **4.3.1. Consideration of key issues in submissions objecting to the consultation process**

##### **Objections to public consultation process**

- There were a number of concerns raised with the public consultation process, including the following points:
  - There was a general lack of consultation and communication.
  - The consultation period was too short for the community to consider the information provided and make a meaningful contribution.
  - A time extension was required to provide submissions.
  - Engagement was not started early in the plan making process.
  - Further consultation is needed to ensure best outcomes for designated sites.

##### Response

The proposed planning scheme amendment was subject to public consultation from Monday 19 August to Monday 16 September 2019 (i.e. 21 business days) in accordance with the *Planning Act 2016*. Section 1 of this Report provides an overview of the public consultation process undertaken, which exceeded the requirements specified in the *Planning Act 2016*.

The concerns and suggestions raised in relation to public consultation are noted and will be considered for future planning scheme amendments.

### **4.4. Other issues**

#### **4.4.1. Consideration of other issues in submissions supporting the proposed amendment**

##### **General comments in support of the proposed amendment**

A range of general comments in support of the proposed amendment were made, including the following points:

- It is important to maintain and preserve heritage sites for future generations.
- The development of provisions to address protection of significant architectural built form is long overdue - this process is very welcome.
- The proposed amendment is supported in total.
- Clarification is sought on whether heritage listing is optional for property owners and the legal head of power to identify local heritage places and character areas.
- There is a need to consider whether local heritage places may be removed from the planning scheme due to their evolution to accommodate modern uses and subsequently be added to another listing.
- A separate study of natural history is needed.
- Council should negotiate with relevant teacher associations to incorporate local history in the school curriculum.

##### Response

Support for the proposed amendment is noted.

There is a legal head of power for the proposed amendment. Council is required to identify and protect local heritage places under Queensland legislation, either via a local heritage register document or its planning scheme (*Queensland Heritage Act 1992 and Planning Act 2016*). The identification of local heritage places and character

areas is an established practice within Queensland planning schemes.

In relation to creating another listing for local heritage places that have been removed due to their evolution to accommodate modern uses, this has not been contemplated for the planning scheme. There are a large number of buildings that have a non-statutory 'historic' significance. However, it is seen that there is no need for these buildings to receive legal recognition in the planning scheme.

The suggestion of a study of natural history for the region has been noted and forwarded to the relevant section of Council for consideration.

In relation to the suggestion that Council should make contact with local teacher associations to integrate local heritage into the curriculum, this does not relate directly to the proposed amendment. This suggestion has been forwarded to the relevant section of Council for consideration.

#### **Incentives and essential maintenance**

Comments received included the following:

- Council should implement a policy of essential maintenance orders to avoid demolition by neglect. Council should become a prescribed local authority under the *Queensland Heritage Act 1992* for these purposes.
- Listing of a property should be considered as a mutual obligation - Council should provide support through maintenance grants.
- Council should invest more into changes to Yandina buildings to make them have a more historical and 'Queenslander' appearance. Next year, Yandina will be 150 years old, presenting an opportunity to showcase cultural heritage.
- In Palmwoods, it is likely that many aging buildings established c. 1900 will deteriorate unless provisions are put in place to require mandatory repair work. At the present time, developers can wait for buildings to rot and then apply to demolish and develop within the planning scheme codes. Essential maintenance orders should be introduced by Council.
- The budget for heritage incentives needs to be significantly expanded to support private owners.
- Support should be given to owners of heritage listed buildings in the form of process assistance, rates rebates, parking requirement relaxations and similar mechanisms.
- There should be an annual audit of 25% of the heritage listed buildings to discuss needs and challenges. Council should also do more in terms of heritage compliance activities.

#### **Response**

Council staff are investigating potential financial and other incentives as well as enforcement mechanisms for local heritage places. Public consultation on the proposed amendment has informed these investigations. It is intended that options for potential incentive and enforcement options be presented for Council's consideration in due course.

Such measures would complement Council's existing development incentives for heritage protection, which include the waiver of application fees where a planning application is required due to heritage or character provisions, and the availability of financial support for the preparation of technical reporting (both available where a heritage or character building is not proposed to be demolished).

#### **4.4.2. Consideration of key issues in submissions objecting to the proposed amendment**

##### **Objections to research undertaken in association with the proposed amendment**

- The consultant team appears to lack knowledge of architecture and recent architectural history of the Sunshine Coast, placing a question mark over the study.
- It is obvious that inappropriate research has been conducted without reference to local historians who could so easily have supplied historically correct information with back up references.

#### **Response**

An industry-leading standard of research was undertaken as part of the investigations leading to the proposed amendment. The methodology for the investigations included early consultation to obtain information from key historical groups in the community and other sources. It is conceded that with investigations being undertaken on a regional-level scale, it is possible that nuances of local history in a proposed amendment of this kind may require refinement. This need for refinement was also a key purpose of the public consultation of the proposed amendment and the invitation of public submissions.

##### **Objections to the proposed amendment generally**

- Private property should not be identified as a heritage place without owners consent.
- Heritage designations lower property values and owners should be compensated.
- Any privately owned post-1900 building should not be subject to demolition or removal control.

- Buildings must be at least 100 years old to be considered of heritage value.
- The proposed amendment is not in the interest of the community and enforces undue constraints on Sunshine Coast properties.
- The amendment will restrict, complicate and prevent future planning and development.
- There are concerns that the proposed changes may impose excessive requirements on development applications and thereby unnecessarily delay development.
- Real estate investment will migrate to other regions like the Gold Coast.
- The amendment must seek to ensure that the ability to deliver residential communities as required by the South East Queensland Regional Plan is not negatively impacted.
- There are concerns that the 'Land in proximity to a local heritage place' element is more extensive than the equivalent for State heritage, that it may limit the ability to achieve dwelling supply targets within existing urban areas and that it may create uncertainty in the design and delivery of residential development. It is requested that Council refrain from incorporating this provision, in favour of a more limited overlay and changes to the existing assessment benchmarks as relevant to local context.
- The proposed amendment is not needed.
- Heritage has been "blanketed" over entire towns.
- There is no consistency to criteria for building and properties in the present and future.
- There is less flexibility in the use of a building and property identified in the overlay - which is opposed to the flexibility that small businesses need. The restrictions limit what small business can do, which paves the way for the "big boys" to move in.
- There is a greater cost in maintaining a character building and in planning application processes, which is another hit for small business.
- Council should consider the capacity of private owners to meet heritage maintenance requirements.
- There is less willingness from investors to buy in historic and character areas due to the restrictions, extra costs and difficulties.
- There is no certainty that the regulations will not tighten further over the years, nor is there certainty over the actions of individual compliance officers - there appears to be inconsistency between officers.

A small number of submissions were received which made objections to the proposed amendment. These submissions may have been made in relation to a specific aspect of the amendment or a specific property but did not explicitly state so.

#### Response

Heritage is a key part of the amenity of the Sunshine Coast, helping to define and distinguish local communities as well as honouring the contributions made by previous generations of the Sunshine Coast community.

Council is required to identify and protect local heritage places under Queensland legislation, either via a local heritage register or its planning scheme (*Queensland Heritage Act 1992 and Planning Act 2016*).

The proposed amendment has been prepared to update Council's existing identification of local heritage places and character areas. It has been prepared in a manner that is consistent with the practices of other local governments in Queensland and elsewhere. It is customary for local governments to update their heritage and character area provisions from time to time in order to ensure that these elements are up to date. In the case of the Sunshine Coast, the proposed amendment is also necessary to ensure a single and consistent basis for the identification of heritage and character areas, with current and previous heritage protections based largely on separate investigations undertaken prior to the amalgamation of the Sunshine Coast Council.

Similar to other planning provisions relating to development, such as zoning and building heights, Council has the ability to identify private properties as local heritage places and character areas in order to protect these properties from inappropriate development. Active use, re-use and development that is sensitive to the values of these areas is encouraged.

The identification of heritage significance does not necessarily correspond with the age of a place. Although many local heritage places are relatively old compared to most Sunshine Coast development, the identification of significance for the history of the Sunshine Coast against the significance criteria is the key motivation for nomination of a local heritage place.

In this regard, as part of the proposed amendment, Council has sought to modernise its local heritage places and character areas by allowing for the inclusion of more recent developments. This reflects a trend being seen in heritage protection more broadly.

Heritage and character areas have an uneven distribution across the Sunshine Coast, reflecting



the history of the Sunshine Coast and the presence of earlier surviving built fabric in the areas that were settled earlier.

Some older towns, particularly in the railway towns and hinterland, have a relatively high proportion of heritage and character areas. Eumundi, Eudlo and Kenilworth are examples of smaller towns of this kind, with similar characteristics observable in the larger towns of Landsborough, Maleny, Palmwoods, Woombye and Yandina.

The presence of heritage and character is generally a key contributor to the amenity and identity of the places where it exists. In many hinterland towns, the presence of heritage when combined with a setting of rural and natural landscapes offers a key attraction and point of difference from other places on the Sunshine Coast which derive their amenity and identity from the presence of beaches, waterways and coastal landscapes.

It is acknowledged that the presence of local heritage and character elements can result in an operational constraint both in residential and commercial areas. It is not intended that heritage and character provisions stifle development in an area, rather it is intended that they help to protect some of the most defining symbols of an area's identity and character.

Council is investigating financial incentives for private owners of local heritage places (refer to section 4.4.1 'Incentives and essential maintenance' above), to complement existing development incentives.

A key focus of the Heritage and character areas overlay code is providing for active re-use of local heritage places where this would not negatively impact on the values of the local heritage place or the amenity of the area.

Properties identified by the Heritage and character areas overlay mapping in the proposed amendment make up a very small percentage of the total number of properties on the Sunshine Coast (estimated to be less than 1% of all properties). There is no risk that the conservation of heritage and character values as identified in the proposed amendment could have a material effect on the local real estate market, nor affect Council's ability to meet its dwelling targets under the 'ShapingSEQ' South East Queensland Regional Plan 2017.

#### 4.5. Submissions providing information

A number of submissions have been received that recommended corrections or refinements to the factual and/or historical information presented

within the proposed amendment and the accompanying Thematic History of the Sunshine Coast document.

Some submission content also related to Aboriginal cultural heritage specifically, including alleged damage that has occurred to Aboriginal cultural heritage sites.

##### Response

Corrections of factual and historical information are able to be incorporated within the proposed amendment and the accompanying Thematic History of the Sunshine Coast document.

It is noted that Aboriginal cultural heritage is not specifically managed in the planning scheme or via the proposed amendment. Rather, it is managed through the *Aboriginal Cultural Heritage Act 2003*, administered by the State Government.

References are provided to Aboriginal cultural heritage in the historic context sections of some statements of significance where deemed appropriate. Council is in the process of implementing short and long-term responses to reported cases of damage to Aboriginal cultural heritage sites.

##### **Recommendation:**

- **Where appropriate, incorporate corrections to factual and/or historical information in the proposed amendment, based on information provided via submissions and/or further research and review.**

#### 4.6. Editorial changes

A small number of editorial changes and drafting refinements have been identified during the post-consultation review of the proposed planning scheme amendment.

It is therefore recommended that these changes be made to improve the clarity, efficiency and operation of the proposed amendment.

##### **Recommendation:**

- **Undertake drafting refinements and editorial changes that have been identified during the post-consultation review of the proposed amendment to improve the clarity, efficiency and operation of the proposed amendment.**



[www.sunshinecoast.qld.gov.au](http://www.sunshinecoast.qld.gov.au)  
mail@sunshinecoast.qld.gov.au  
T 07 5475 7272 F 07 5475 7277  
Locked Bag 72 Sunshine Coast Mail Centre Qld 4560