

Explanatory Memorandum

Proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] –Additional South East Queensland Regional Plan 2017 (SEQRP) Sites and Other Zoning Matters

Post notification ministerial review version

November 2021



1. Short title

The amendment instrument to which this explanatory memorandum relates is the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]* relating to additional *South East Queensland Regional Plan 2017* (SEQRP) sites and other zoning matters.

2. Type of local planning instrument

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

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

The entity making the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] is the Sunshine Coast Regional Council.

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

The proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] applies to land described in **Table 4.1**.

Table 4.1 Land affected by the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment No. [to be inserted]

Site ID	Property Description	Address	Ownership Category	Map of Subject Land
Chevallum North	Lot 6 on RP845421 Lot 18 on SP313573	23 – 25 and 31 Sunridge Farm Road, Chevallum	Private	
Chevallum South	Former Lot 3 on RP57951	521 Chevallum Road, Chevallum	Private	Chovalium

Site ID	Property Description	Address	Ownership Category	Map of Subject Land
Forest Glen	Lot 2 on SP313571	7172 Bruce Highway, Forest Glen	Private	
Landsborough South	Lot 1 on RP171420 Lots 1 and 2 on SP217050 Lots 1 and 2 on RP213979 Lots 2-4 on RP183962 Lot 1 on RP185758 Lot 1 on RP171421 Lots 1-3 on RP180992	46, 47, 52, 57, 62, 63, 66, 69, 75, 77, 79 and 81 Hardwood Road, Landsborough; and 10 White Gums Street, Landsborough	Private	

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

The purpose of the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] is to:-

- (a) make zoning changes and local plan area boundary changes relating to specific sites, in order to:
 - respond to changes to the urban footprint under the South East Queensland Regional Plan 2017;
 and
 - (ii) better reflect existing development approvals or desired future land uses;
- (b) amend local plan provisions, where relevant, to provide more detailed planning outcomes in response to zoning and local plan area boundary changes; and
- (c) amend the growth management boundaries to reflect zoning and local plan area boundary changes.

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

Council has prepared the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]* to respond to changes to the urban footprint under the *South East Queensland Regional Plan 2017* and to reflect the desired future use of land. The sites included in this amendment were part of a review process to determine which additional sites are suitable for inclusion in an urban zone at this time. In addition, a small number of other sites not related to changes to the urban footprint are included in this amendment to better reflect existing and approved land uses.

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

The details of the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] are outlined in Table 7.1 below and Appendix 1.

Table 7.1 provides a summary of those aspects of the proposed amendment relating to assessment benchmarks.

Appendix 1 – Details of Proposed Amendment (Site Specific) provides further details on the site specific aspects of the proposed amendment.

Table 7.1 Summary of proposed amendment relating to assessment benchmarks

Planning Scheme Part	Summary of Amendment
Part 7 (Local Plans)	Amend the Forest Glen/Kunda Park/Tanawha local plan code, as follows:
	 Amend the Forest Glen/Kunda Park/Tanawha Local Plan Elements Figure, as detailed in Appendix 1.
Part 7 (Local Plans)	Amend the Landsborough local plan code, as follows:
	Include new or amended performance outcomes and acceptable outcomes for the proposed additional Low density residential zoned land in Precinct LAN LPP-2 (Landsborough Town East) in relation to lot sizes, nominating secondary dwelling and dual occupancy lots and ecological protection and connectivity requirements.
	Amend the Landsborough Local Plan Elements Figure, as detailed in Appendix 1.

8. Compliance with the Planning Act 2016

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

The proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] has been prepared in accordance with:-

- (a) Section 20 (Amending planning schemes under the Minister's rules) of the Planning Act 2016; and
- (b) Minister's Guidelines and Rules (July 2017) made under the Planning Act 2016.

Compliance with State planning instruments

At the time of the gazettal of the *Sunshine Coast Planning Scheme 2014* in May 2014, the Minister identified that the *South East Queensland Regional Plan 2009-2031* and the *State Planning Policy* were appropriately reflected in the planning scheme.

A new State Planning Policy (SPP) commenced on 3 July 2017 and a new Regional Plan, *ShapingSEQ South East Queensland Regional Plan 2017*, was released on 11 August 2017.

The proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] does not adversely affect the planning scheme's compliance with State planning instruments.

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

Table 9.1 Compliance with State planning instruments

Aspect of Proposed Amendment	State Interest	Summary of Compliance
All site specific amendments	South East Queensland Regional Plan 2017	The subject sites are all currently included in the Urban footprint regional land use category under the <i>South East Queensland Regional Plan 2017</i> . The proposed zoning changes are consistent with the intent of the <i>South East Queensland Regional Plan 2017</i> as they will provide for additional urban land supply within the Urban footprint.
All site specific amendments	State Planning Policy July 2017 – Planning for liveable communities and housing	The proposed amendment will provide for additional urban development to accommodate population growth, in a variety of locations, whilst also preserving the prevailing character of each site's setting and providing for high levels of amenity and access to services, facilities and recreational opportunities.
All site specific amendments	State Planning Policy July 2017 – Planning for economic growth	The proposed amendment provides for logical extensions to existing urban areas of the Sunshine Coast and supports economic growth of the region.
All site specific amendments	State Planning Policy July 2017 – Planning for the environment and heritage	The subject sites are currently included in the Urban footprint under the South East Queensland Regional Plan 2017. The proposed amendment is consistent with the intent of the South East Queensland Regional Plan 2017 as it will provide predominantly for additional urban land supply.
		Areas of significant environmental value will be protected through appropriate zoning, local plan provisions and existing overlays. The amendment has no material effect on the cultural heritage values of the Sunshine Coast.
All site specific amendments	State Planning Policy July 2017 – Planning for safety and resilience to hazards	The proposed sites have been reviewed for safety and resilience to hazards and are considered suitable for inclusion in an urban zone, subject to site specific constraints being addressed through existing overlays or, where necessary, local plan provisions.
All site specific amendments	State Planning Policy July 2017 – Planning for infrastructure	The subject sites are logical extensions to existing urban areas that are capable of being efficiently serviced with extension to existing services. Further, the proposed scale of development is not likely to have significant impacts on existing services and facilities.

10. Consultation with government agencies

During the preparation of the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]*, Council officers consulted, initially, with representatives from the former Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) to discuss the proposed amendment on 7 March 2019.

A briefing was then provided to representatives of the following agencies on 2 April 2019:

- Department of State Development, Manufacturing, Infrastructure and Planning;
- Department of Environment and Science;
- Department of Natural Resources, Mines, and Energy;
- Department of Agriculture and Fisheries;
- Department of Public Housing and Works; and
- Queensland Police Service.

In accordance with the *Planning Act 2016* and the *Minister's Guidelines and Rules (July 2017)*, Council sent a copy of the proposed amendment to the Planning Minister on 3 June 2019, for formal consideration of State interests and to seek approval for Council to proceed to public consultation.

11. Compliance with state imposed conditions

Council received approval from the Planning Minister by letter dated 13 May 2020, that Council may commence public consultation, subject to the following condition:

- 1. The council must remove the following sites from the proposed amendment:
 - (a) Landsborough North:
 - Lot 10 on RP144551;
 - Lot 1, 2, 3 and 4 on RP196184;
 - Lot 1 and 2 on RP186673;
 - Lot 4 and 5 on RP196179:
 - Lot 1 and 2 on RP204823;
 - Lot 259 on CG840; and
 - Lot 257 and 258 on SP280929.
 - (b) Yandina North
 - Lot 937 on C311485.

Reason: To achieve compliance with the SPP Natural hazards, risk and resilience state interest, policy (2) given that these sites are identified as having an unacceptable risk to people and property.

The proposed amendment has been changed prior to public consultation to comply with the above Ministerial condition.

12. Public consultation

On 13 May 2020, Council received advice from the Planning Minister that it may proceed to public consultation, subject to conditions. Public consultation on the proposed planning scheme amendment was required to be undertaken for a minimum of 20 business days, in accordance with the *Minister's Guidelines and Rules*. The proposed planning scheme amendment was placed on formal public consultation for 25 business days from 2 November to 4 December 2020 (inclusive).

The consultation and communication strategy implemented during the public consultation period involved the following:-

- a public notice published in the Courier Mail (including the on-line version of the Sunshine Coast Daily) on 31 October 2020;
- written notice (letters and emails) sent prior to the public consultation period to affected and adjoining land owners, which included information sheets about the proposed amendment;

- release of an industry newsflash issued to all regular planning scheme users and community members that have previously expressed an interest in receiving information about planning scheme and development matters;
- a copy of the public notice, amendment documentation and information sheets made available at all Council offices and on Council's website;
- dedicated web page on Council's 'Have Your Say' webpage, including a copy of the public notice, amendment documentation, information sheets and an online submission form;
- briefings to key stakeholders, including Organisation Sunshine Coast Association of Residents (OSCAR) and affiliates (e.g. Sunshine Coast Environment Council (SCEC)), Urban Development Institute of Australia (UDIA), Bli Bli Community Association and Yandina and District Community Association; and
- various phone, email and counter enquiries.

13. Consideration of public submissions

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

A total of 678 submissions were received in relation to the proposed planning scheme amendment. Of the total number of submissions received:

- 354 submissions (approximately 52%) indicated provisional or full support for the proposed planning scheme amendment; and
- 324 submissions (approximately 48%) either objected partially or completely objected to the proposed planning scheme amendment.

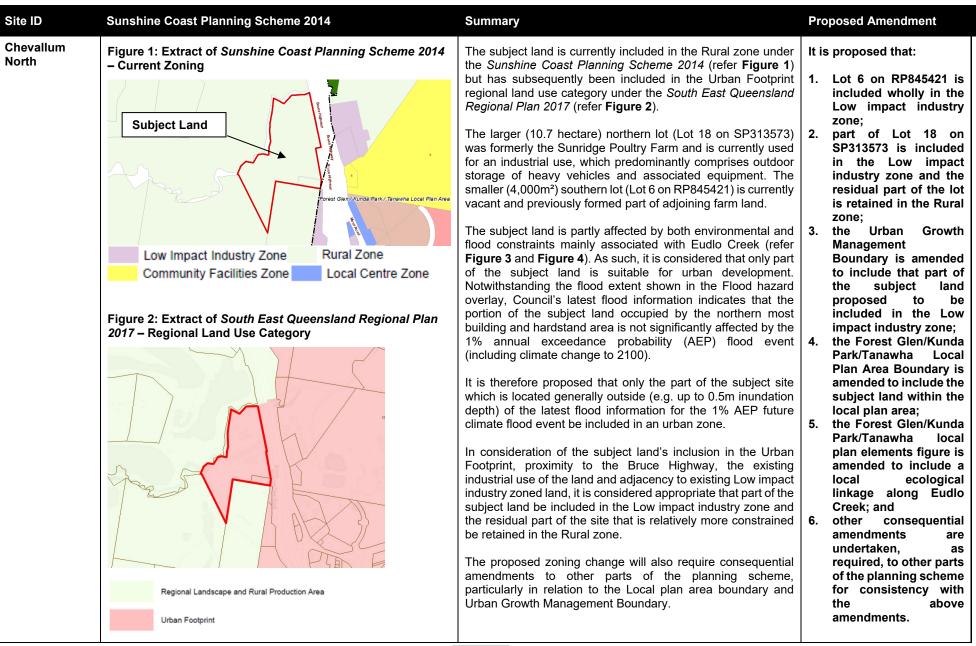
A consultation report has been prepared, which provides a summary of the matters raised in submissions and how these matters have been dealt with (refer to **Appendix 2 – Consultation Report**). A copy of the consultation report will be provided to each person who made a submission and will also been made available to view or download on Council's website.

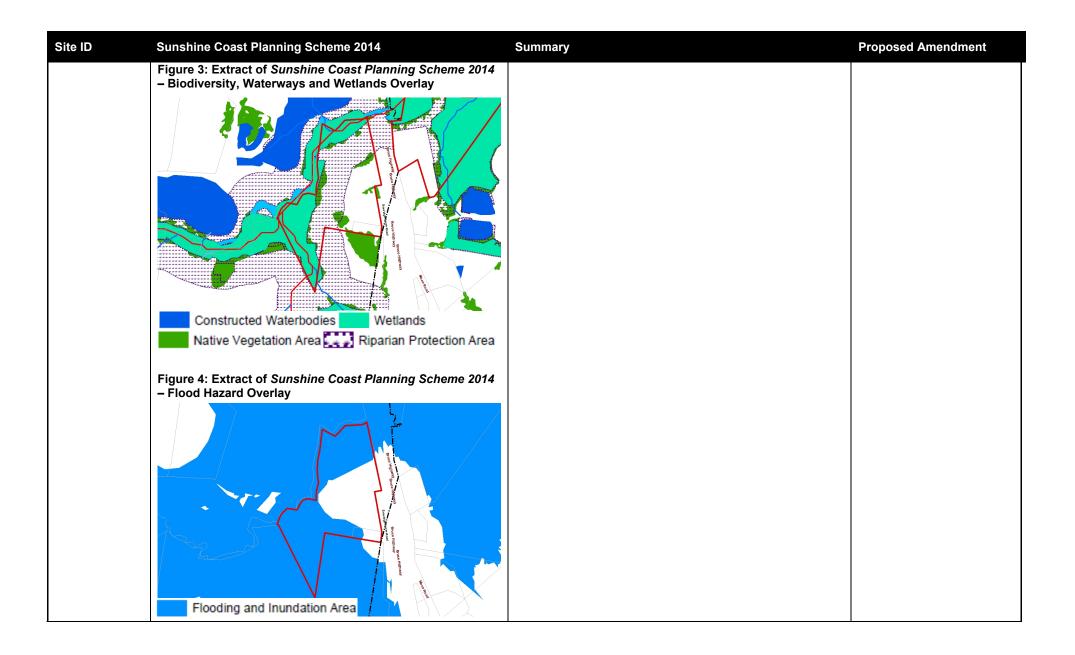
The outcomes of community consultation were presented to Council at the Ordinary Meeting, held on 10 November 2021. At this meeting, Council resolved to:

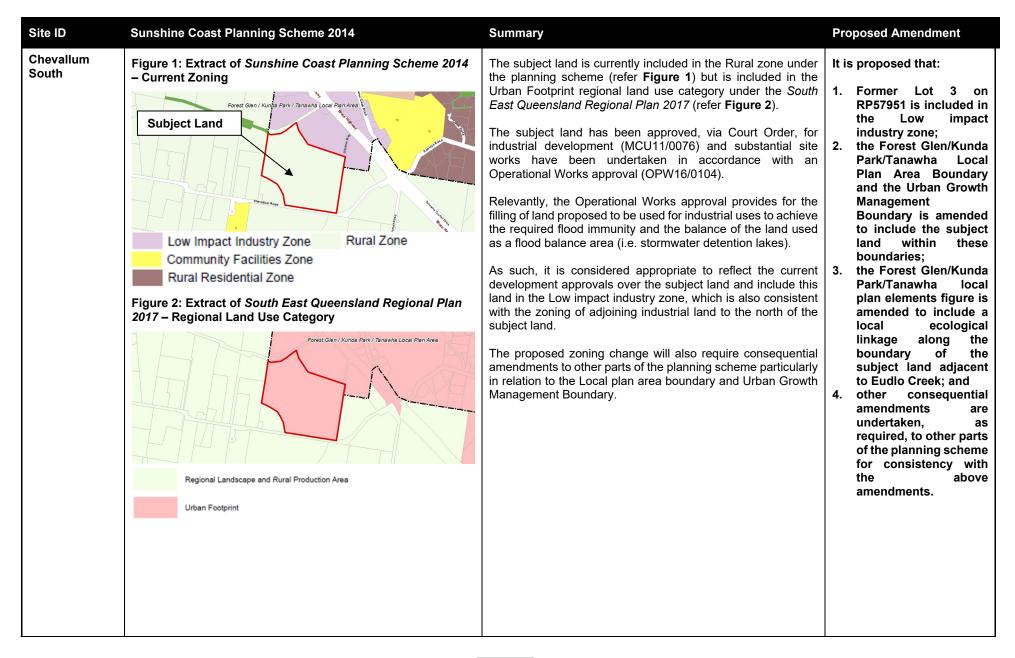
- "(a) receive and note the report titled "Proposed Planning Scheme Amendment Additional South East Queensland Regional Plan Sites and Other Zoning Matters"
- (b) having considered all submissions received about the proposed planning scheme amendment, decide to
 - (i) not proceed with those parts of the proposed planning scheme amendment relating to land at Bli Bli, and north of Steggalls Road and 1 Ninderry Road, Yandina and
 - (ii) proceed with the remaining part of the proposed planning scheme amendment, without changes
- (c) delegate authority to the Chief Executive Officer to amend Attachment 1 and Appendix A and B to properly reflect Council's decision in respect to (b)(i) above prior to the finalisation and submission of the revised amendment package
- (d) delegate authority to the Chief Executive Officer to progress and finalise the revised proposed planning scheme amendment in accordance with the Planning Act 2016 and the Minister's Guidelines and Rules and
- (e) adopt the revised proposed Sunshine Coast Planning Scheme (Major Amendment) Additional South East Queensland Regional Plan Sites and Other Zoning Matters, subject to receiving advice from the Planning Minister that Council may proceed to adopt the amendment.

14. Background studies and reports

No additional background studies or reports have been prepared to inform the preparation of the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted].







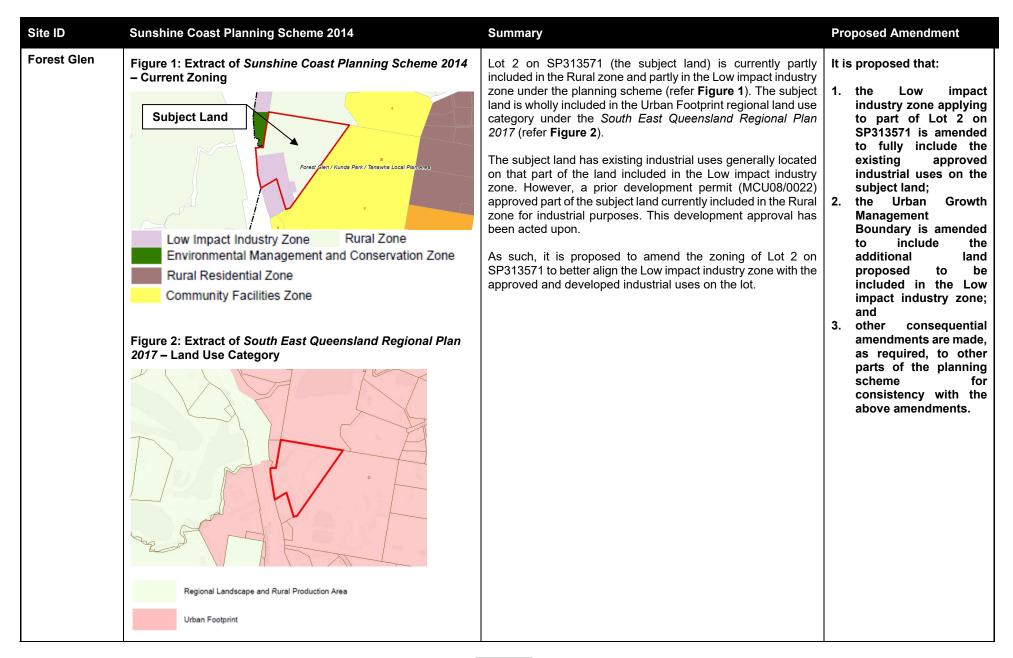




Figure 2: Extract of South East Queensland Regional Plan 2017 - Regional Land Use Category

Limited Development (Landscape Residential) Zone



Summary

Currently located within the Rural zone, the subject land is located directly adjacent to the eastern boundary of the Landsborough local plan area (refer **Figure 1**). The subject land has been wholly included within the Urban Footprint regional land use category under the South East Queensland Regional Plan 2017 (refer Figure 2).

The subject land comprises 13 individually owned lots with a total area of approximately 16 hectares, and is located approximately one kilometre from the Landsborough local centre. Mellum Creek forms the southern boundary of the subject land, with a rural residential estate located beyond. The Beerwah State Forest is located directly to the east and forms part of the Beerwah East Major Development Area (MDA) designated under the South East Queensland Regional Plan 2017. Relevantly, the subject land is bordered by the Landsborough Town East local plan precinct to the north and west (refer Figure 3).

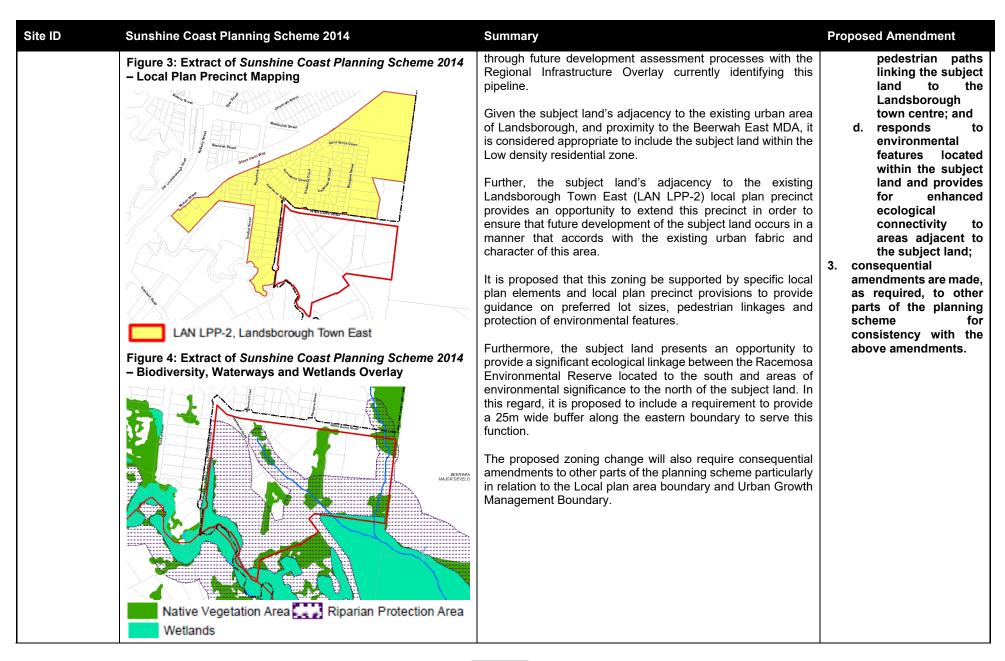
A variety of rural and semi-industrial type uses are currently located within the subject land in close proximity to existing dwellings. This current land use arrangement reflects the subject land's historic rural zoning and location on the periphery of Landsborough township. However, the presence of the Beerwah East MDA, which if developed, will provide regionally significant residential and employment outcomes, provides an opportunity for the subject land to transition into residential uses.

The subject land is relatively unconstrained; however, portions of the land contain ecological features mapped by the Biodiversity, waterways and wetlands overlay (refer Figure 4). It is considered that any adverse impacts can be avoided or mitigated through sensitive subdivision design, with guidance from local plan elements and provisions as well as existing overlay code provisions.

The subject land is noted as containing a section of the SEQwater Northern Pipe Interconnector, which traverses the subject land in a north-south alignment (refer Figure 5). While this may restrict the ability to construct dwellings or otherwise potentially reduce development yields in the vicinity of this pipeline, it is considered this constraint can be resolved It is proposed that:

Proposed Amendment

- 1. Lots 1 and 2 on SP217050. Lot 1 on RP171421, Lots 1 and 2 on RP213979, Lot 1 on RP171420, Lots 1, 2 and 3 on RP180992. Lot 1 on RP185758. Lots 2. 3 and 4 on RP183962 are included within the Low density residential zone and are included within the existing local plan precinct, LPP-2 LAN (Landsborough Town East);
- 2. Landsborough the local plan code is amended to include suitable provisions to ensure development within local plan precinct, Precinct LAN LPP-2 (Landsborough Town East):
 - a. includes a new minimum lot size of 800m² for lots created between Forestdale Road Hardwood and Road:
 - b. nominates secondary dwelling and dual occupancy lots on plan development:
 - c. contributes to the provision of cvclewavs and



Site ID	Sunshine Coast Planning Scheme 2014	Summary	Proposed Amendment
	Figure 5: Extract of Sunshine Coast Planning Scheme 2014 - Regional Infrastructure Overlay		
	Water Supply Pipeline and Buffer		

Appendix 2 – Consultation Report (Provided under separate cover)