

| <b>APPLICATION SUMMARY</b>                  |   |
|---|---|
| <b>Division:</b>                            | 1   |
| <b>Applicant:</b>                           | Coles Group Property Developments Pty Ltd   |
| <b>Consultant:</b>                          | Project Urban Pty Ltd   |
| <b>Owner:</b>                               | Ms M Biondi   |
| <b>Proposal:</b>                            | <ul style="list-style-type: none"> <li>• Preliminary Approval for Material Change of Use of Premises (Including a Variation Request to Vary the Effect of the <i>Sunshine Coast Planning Scheme 2014</i>) to Establish a Business, Industrial, Community, Sport and Recreation and Other Activities</li> <li>• Development Permit for Material Change of Use of Premises to Establish a Shopping Centre (Full Line Supermarket and Showroom)</li> </ul>   |
| <b>Properly Made Date:</b>                  | 11 November 2019  |
| <b>Street Address:</b>                      | 8 Roys Rd BEERWAH   |
| <b>RP Description:</b>                      | Lot 122, 123, 124 and 125 CG 155  |
| <b>Assessment Type:</b>                     | Impact Assessment   |
| <b>Public Notification Period:</b>          | 1 October 2020 to 16 November 2020  |
| <b>Number of Properly Made Submissions:</b> | 41  |
| <b>State Referral Agencies:</b>             | <u>Concurrence</u> <ul style="list-style-type: none"> <li>• SARA at DSDILGP</li> </ul>  |
| <b>Referred Internal Specialists:</b>       | <ul style="list-style-type: none"> <li>• Economic Development Branch</li> <li>• Strategic Planning Branch</li> <li>• Urban Growth Projects Branch</li> <li>• Development Services Branch:               <ul style="list-style-type: none"> <li>○ Principal Traffic Engineer</li> <li>○ Principal Development Engineer</li> <li>○ Senior Development Engineer (Hydraulics)</li> <li>○ Principal Environment &amp; Landscape Officer</li> <li>○ Environment Officer</li> <li>○ Principal Architect</li> </ul> </li> </ul> |

## PROPOSAL:

The application seeks approval for:

- Preliminary Approval for Material Change of Use of Premises (Including a Variation Request to Vary the Effect of the *Sunshine Coast Planning Scheme 2014*) to Establish Business, Industrial, Community, Sport and Recreation and Other Activities.
- Development Permit for Material Change of Use of Premises to Establish a Shopping Centre (Full Line Supermarket and Showroom).

### **Preliminary Approval (including a Variation Request) Component**

The application seeks to develop the site as a “homemaker centre” that also incorporates a Full line supermarket. “Homemaker centre” is not defined by the planning scheme but is generally understood to involve a shopping precinct mostly occupied by large format retail shops or showrooms selling goods related to home furnishings, homewares and electronics. A Full line supermarket is defined by the planning scheme as “a supermarket offering all or most major lines of groceries for sale and having a gross leasable floor area generally in excess of 2,500m<sup>2</sup>”. A Preliminary Approval for a Material Change of Use is sought in relation to a number of urban uses as listed above in the application description. The application for Preliminary Approval also includes a Variation Request in accordance with Section 50(3) of the *Planning Act 2016*. The Variation Request seeks to vary the effect of the *Sunshine Coast Planning Scheme 2014* as it relates to the subject site in the following ways:-

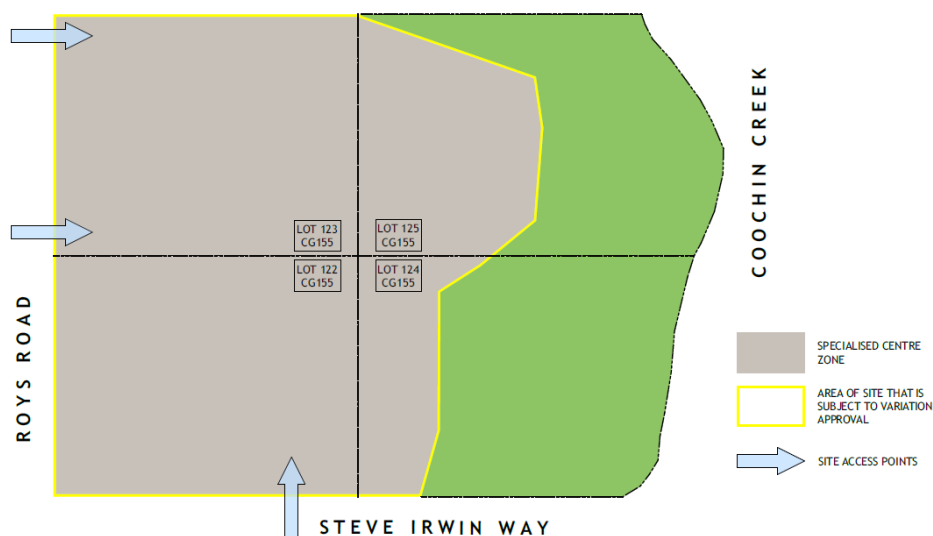
- (a) Specifying administrative definitions which apply in the Variation Approval Area. Definitions of the terms *Variation Approval Area*, *Applicable local plan code* and *Specialised centre zone code* are proposed.
- (b) Specifying assessment levels for certain development in the Variation Approval Area.
- (c) Specifying the applicable assessment benchmarks for development within the Variation Approval Area.
- (d) Specifying that the *Medium impact industry zone code* does not apply within the Variation Approval Area.
- (e) Establishing additional assessment benchmarks applicable to the Variation Approval Area via variations to the *Beerwah local plan code* and *Specialised centre zone code*.

The subject land is included in both the Medium impact industry zone and the Environmental management and conservation zone. In essence, the Variation Request seeks to treat the Medium impact industry zoned portion of the land (approximately 11.29 hectares) as if it were included in the Specialised centre zone, which is a zone where a “homemaker centre” would be expected to be located. In order to achieve this, the applicant has prepared a Beerwah Homemaker Centre Variation Approval Document which would regulate development on the site in conjunction with certain Assessment Benchmarks in the *Sunshine Coast Planning Scheme 2014*.

The proposed Variation Approval Document includes a table of assessment that copies the table of assessment for the Specialised centre zone in the *Sunshine Coast Planning Scheme 2014*, but with some key changes to facilitate the proposed development and land uses. The Variation Approval Document also includes its own version of the *Beerwah local plan code* and the *Specialised centre zone code*. Again, these codes have been copied from the *Sunshine Coast Planning Scheme 2014* but include key changes to facilitate the proposed development and land uses. These changes are generally summarised as follows:-

- The Variation Approval Document's version of the *Beerwah local plan code* has varied overall outcomes and performance outcomes that identify the subject land as being located within Specialised centre zone, developed as a homemaker centre and incorporating a single full line supermarket.
- The Variation Approval Document's version of the *Specialised centre zone code* has varied overall outcomes that provide for a single full line supermarket to be established within the Variation Approval Area.
- Shopping Centre, if incorporating a single full line supermarket, is subject to code assessment, and is identified as a Consistent Use (instead of impact assessment/inconsistent).
- Health Care Premises, with a gross leasable floor area cap of 1000m<sup>2</sup>, is subject to code assessment and is identified as a Consistent Use (instead of impact assessment/inconsistent).
- The total gross leasable floor area for Showroom is capped at 10,500m<sup>2</sup>.
- Industrial activities such as Bulk Landscape Supplies and Warehouse are subject to code assessment and are identified as Consistent Uses (instead of impact assessment/potentially consistent).

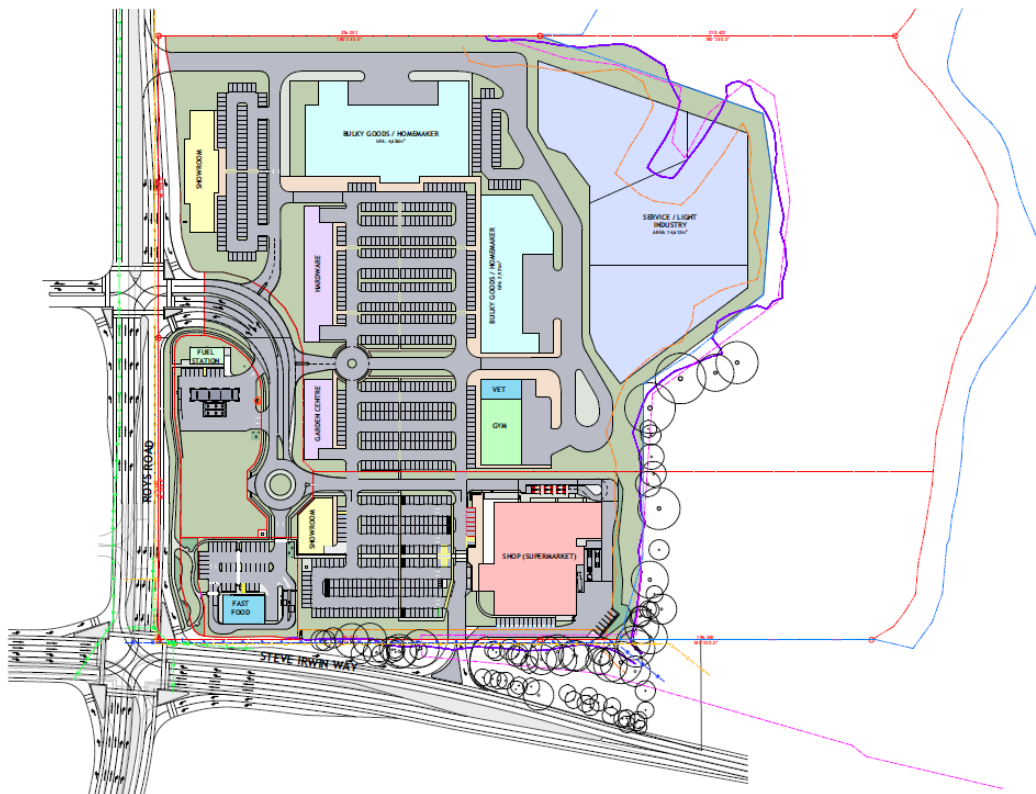
The proposed Variation Approval Document includes a Masterplan Map which establishes the extent of the Variation Approval Area and the Specialised centre zone (in grey), and identifies indicative access points to the Variation Approval Area. An extract from the Masterplan Map is included below. The part of the site included in the Environmental management and conservation zone (in green) is not proposed to be included in the Variation Approval Area.



*Figure 1 – Masterplan Map*

The applicant has also submitted an overall Masterplan Concept for the site to illustrate how the site is intended to be developed. Amongst other things, the Masterplan Concept depicts a proposed full line supermarket and Showroom in the central-western part of the site. The subject application is also seeking a Development Permit for these land uses, and this is discussed in the subsequent section of this report. The Masterplan Concept also depicts a proposed Service Station and Food and Drink Outlet in the north-western part of the site, and the applicant is seeking a Development Permit for these uses via a related but separate development application (Council reference MCU19/0270). Additionally, the Masterplan Concept depicts the possible arrangement of other land uses on the site, including Showrooms (identified as either “showroom” or “bulky goods/homemaker”), a Garden Centre, a Hardware and Trade Supplies, an Indoor Sport and Recreation (“gym”), a Veterinary Services, as well as a large area approximately 1.4 hectares in size and located in the south-eastern part of the site identified for Service Industry or Low Impact Industry.

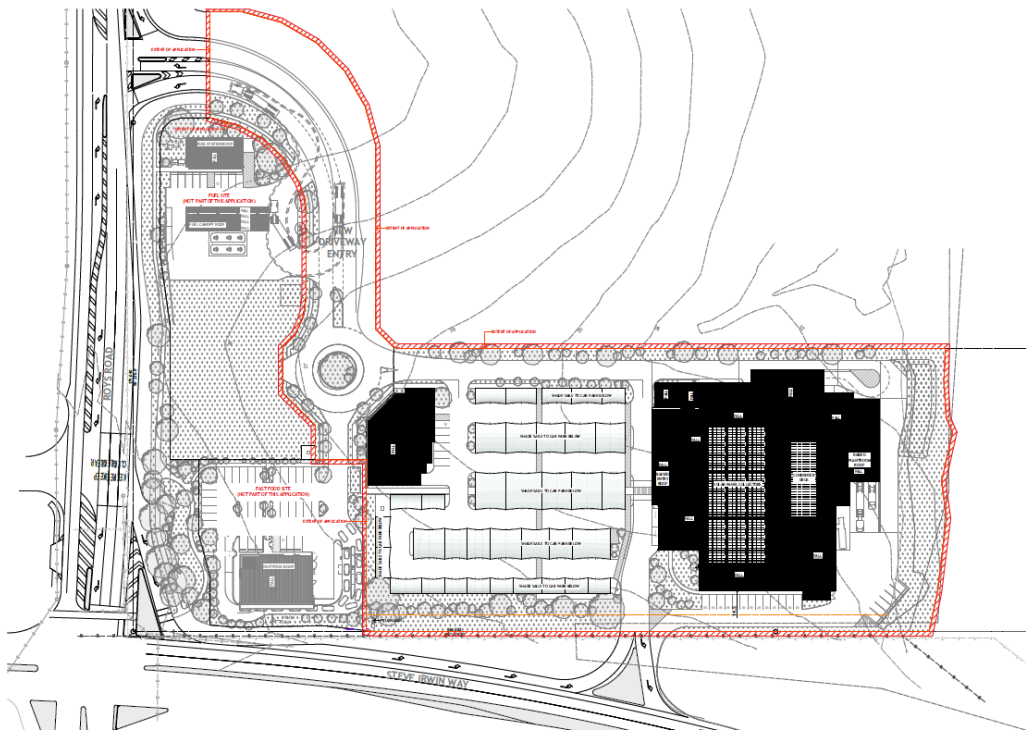
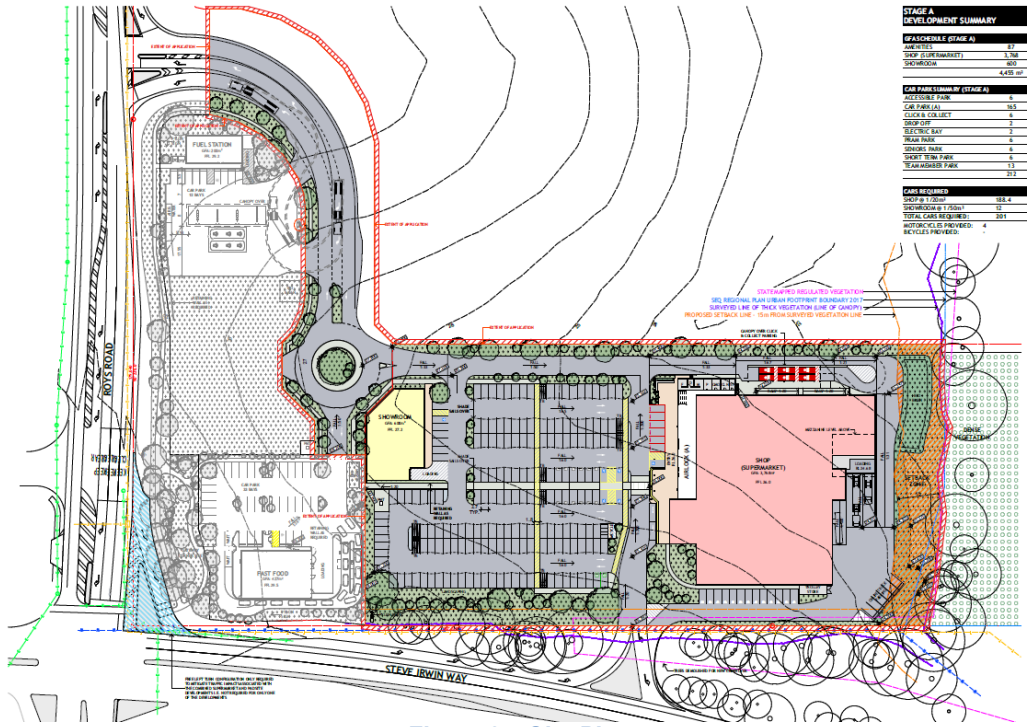
Access points, car parking and internal access roads and landscaping, are also indicatively shown on the Masterplan Concept. It should be noted that all of the internal access roads (coloured grey on the plan) are intended to remain in private property. An extract from the Masterplan Concept is included below.



*Figure 2 – Masterplan Concept*

### **Development Permit for a Material Change of Use Component**

The application also seeks a Development Permit for a Material Change of Use to establish a Shopping Centre (Full Line Supermarket and Showroom). The proposed Shop, being a Full Line Supermarket has a gross floor area (GFA) of 3,768m<sup>2</sup> and at this time is intended to be a Coles supermarket. The proposed Showroom has a GFA of 600m<sup>2</sup>. Plans, elevations, sections and perspective drawings are included below.

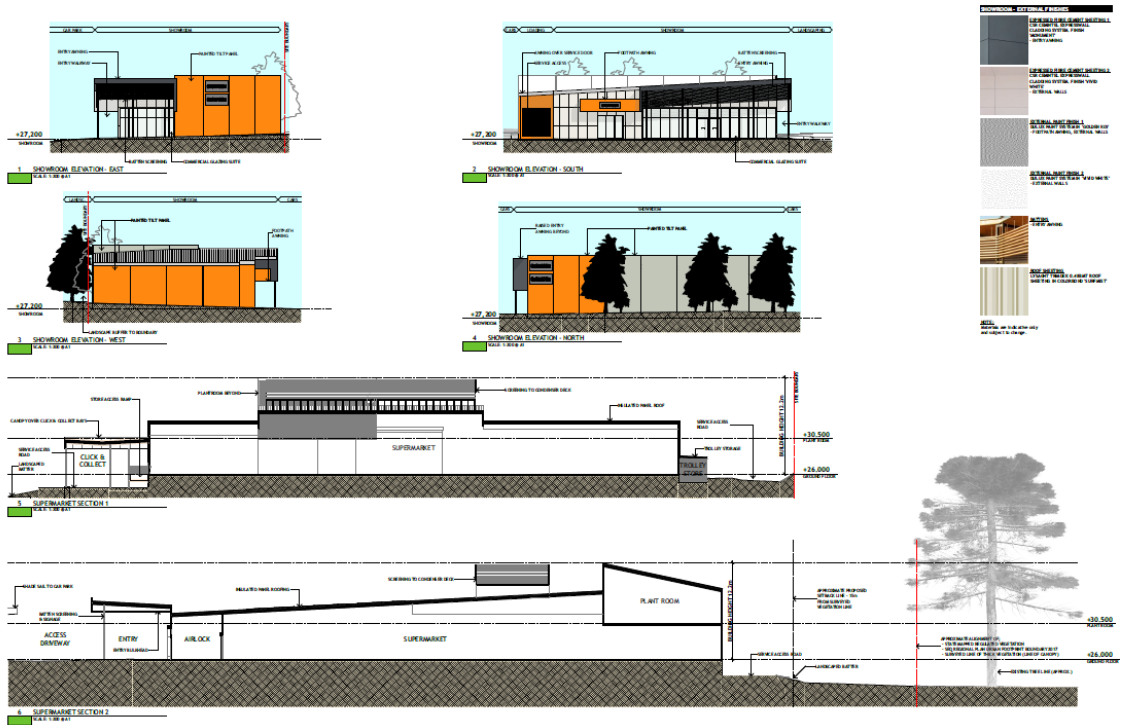




BEERWAH HOMEMAHER CENTRE - SUPERMARKET SITE APPLICATION - ELEVATIONS & SECTIONS - SHEET 1

Figure 5 – Supermarket Elevations





BEERWAH HOMEMAKER CENTRE - SUPERMARKET SITE APPLICATION - ELEVATIONS & SECTIONS - SHEET 2  
*Figure 6 – Showroom Elevations, Supermarket Sections*



BEERWAH HOMEMAKER CENTRE - SUPERMARKET SITE APPLICATION - PERSPECTIVES - SHEET 1  
*Figure 7 – Supermarket Perspectives*



The following table describes the key development parameters for the proposal.

| <b>MATERIAL CHANGE OF USE</b>  | <b>DEVELOPMENT PARAMETERS</b>   |   |
|--------------------------------|---|---|
|                                | <b>Required</b>   | <b>Proposed</b>   |
| <b>Gross Floor Area</b>        | Not specified   | 4,455m <sup>2</sup>   |
| <b>Building Height/Storeys</b> | Maximum 12m above existing ground level in Medium impact industry zoned part of the site.   | <ul style="list-style-type: none"> <li>• 12.2m above finished floor level** (supermarket)</li> <li>• Approximately 8m above finished floor level (showroom)</li> </ul> <p><i>**Note – the site is proposed to be cut and filled to provide level building pads. The finished floor level of the supermarket is approximately 3m above existing ground level at the lowest point around the south east corner of the building.</i></p> |
| <b>Setbacks</b>                | 6m (front)  | <p><u>Roys Road</u></p> <ul style="list-style-type: none"> <li>• Showroom - 80m</li> </ul> <p><u>Steve Irwin Way</u></p> <ul style="list-style-type: none"> <li>• Showroom – 50m</li> <li>• Supermarket – 11m - 14.5m</li> </ul>  |
| <b>Site Cover</b>              | 70%   | Not calculated at this time for this application but would be less than 70%   |
| <b>Parking</b>                 | <ul style="list-style-type: none"> <li>• 223 car spaces</li> <li>• WCV, AV, HRV, 2 x MRV, 2 x SRV &amp; 3 x VAN</li> <li>• 45 motorcycle</li> <li>• 44 employee bicycle</li> <li>• 44 customer bicycle</li> </ul> | <ul style="list-style-type: none"> <li>• 212 car spaces</li> <li>• Shared loading/unloading for service vehicles (all sizes)</li> <li>• 4 motorcycle</li> <li>• Bicycle spaces not shown at this time for this application but space available</li> </ul>   |
| <b>Landscaping</b>             | <ul style="list-style-type: none"> <li>• 10% deep planted landscapes</li> <li>• Buffers sufficient to meeting local plan code requirements</li> </ul>   | <ul style="list-style-type: none"> <li>• Not calculated at this time for this application but would be greater than 10%</li> <li>• 13m wide strip to Steve Irwin Way at main car park</li> <li>• 2m wide strip to Steve Irwin Way at supermarket</li> </ul>   |

## SITE DETAILS:

### Site Features and Location

| <b>SITE AND LOCALITY DESCRIPTION</b> |   |
|--------------------------------------|---|
| <b>Land Area:</b>                    | Total - 16.491 hectares   |
| <b>Existing Use of Land:</b>         | Rural   |
| <b>Road Frontage:</b>                | Roys Road – 357m approximately<br>Steve Irwin Way – 422m approximately  |
| <b>Significant Site Features:</b>    | The northern two-thirds of the site is being used for agriculture (strawberry farm). A dwelling house is located in the north-western corner near the intersection of Roys Road and Steve Irwin Way. The southern third of the site contains native vegetation in a band adjacent to Coochin Creek, which forms the site's southern boundary. |
| <b>Topography:</b>                   | Gentle slope north to south   |
| <b>Surrounding Land Uses:</b>        | North – Industry uses<br>East – Rural uses<br>South – Coochin Creek, Extractive Industry (Sand) and Rural uses<br>West – North Coast Railway  |

The location of the subject site in relation to its surrounds is shown below:

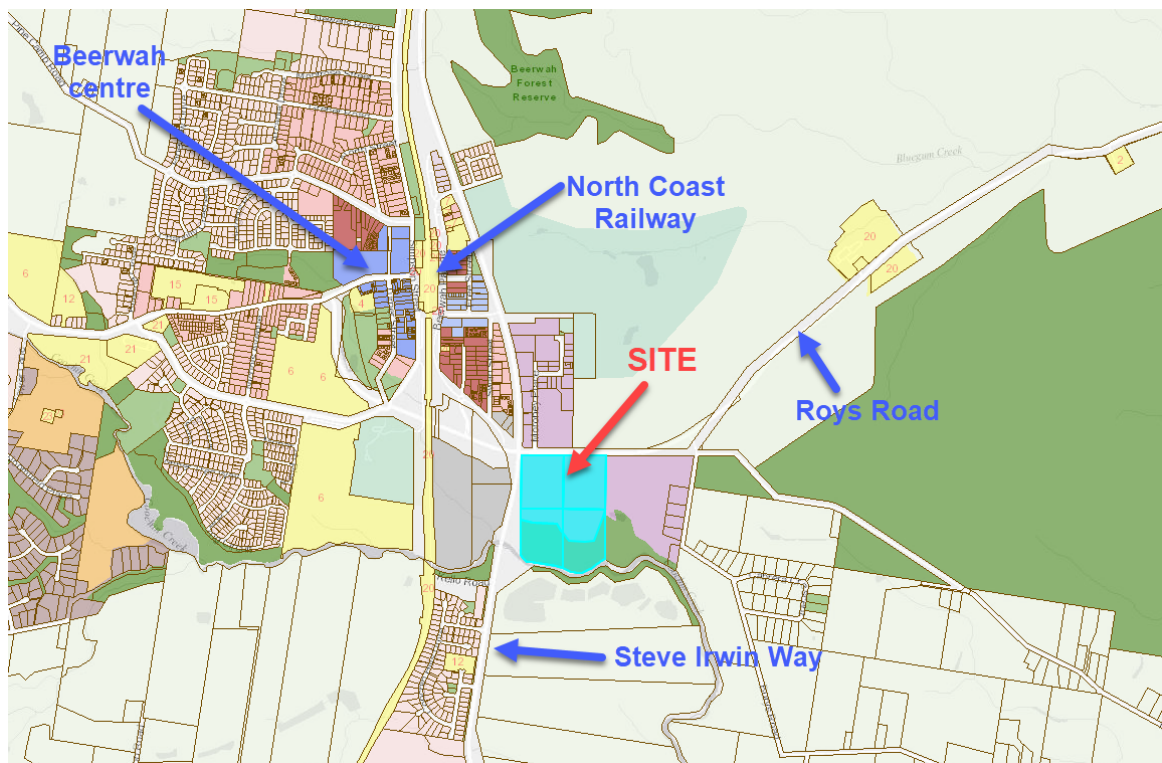


Figure 8 – Locality Map



Figure 9 – Aerial Photograph (Nearmap)

## Development History of Site

There is no history of development approvals over the site.

## ASSESSMENT:

### Framework for Assessment

#### Categorising Instruments for Statutory Assessment

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

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

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

### **Assessment Benchmarks Related to the *Planning Regulation 2017***

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

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


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

### State Planning Policy (SPP), Part E

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

### **Assessment Benchmarks Related to the Planning Scheme**

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

| <b>PLANNING SCHEME DETAILS</b>                |   |
|---|---|
| <b>Planning Scheme:</b>                       | Sunshine Coast Planning Scheme (11 November 2019)   |
| <b>Strategic Framework Land Use Category:</b> | Industry and Enterprise Area  |
| <b>Local Plan Area:</b>                       | Beerwah Local Plan Area   |
| <b>Zone:</b>                                  | Medium Impact Industry (purple)<br>Environmental Management and Conservation (green)    |
| <b>Consistent/Inconsistent Use:</b>           | Inconsistent Uses   |
| <b>Applicable Assessment Benchmarks:</b>      | <ul style="list-style-type: none"> <li>• Strategic Framework</li> <li>• <i>Biodiversity, waterways and wetlands overlay code</i></li> <li>• <i>Bushfire hazard overlay code</i></li> <li>• <i>Height of buildings and structures overlay code</i></li> <li>• <i>Scenic amenity overlay code</i></li> <li>• <i>Beerwah local plan code</i></li> <li>• <i>Environmental management and conservation zone code</i></li> <li>• <i>Medium impact industry zone code</i></li> <li>• <i>Business uses and centre design code</i></li> <li>• <i>Prescribed other development codes</i></li> </ul> |

As the application involves a Preliminary Approval including a Variation Request to vary the effect of the Planning Scheme, the assessment below focuses on the key issues arising from the assessment of the proposal against the Strategic Framework of the Planning Scheme.

### Strategic Framework

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

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

The application has been assessed against each of the matters above. The proposal conflicts significantly with Council's strategic vision for Economic Development, specifically in relation to activity centres and industry and enterprise areas. The proposal is inconsistent with the Sunshine Coast Activity Centre Network, and would fragment and undermine the Beerwah Major Regional Activity Centre. The proposal would also severely compromise the Beerwah Sub-Regional Industry and Enterprise Area. Consultation has been undertaken with key specialists within Council, including the Economic Development, Urban Growth Projects and Strategic Planning branches. Additionally, the applicant's economic need and impact assessment has been peer reviewed by an external economic expert. Both internal and external specialists agree that the relevant matters provided by the applicant do not justify approval of the proposal despite the identified conflicts with the Strategic Framework.

There are other strategic areas of concern relating to the protection and enhancement of scenic routes and ecologically important areas. These issues are important but are potentially capable of being addressed through a modified proposal, whereas the proposed impacts on activity centres and industry and enterprise areas are not.

The pertinent issues arising out of assessment against the Strategic Framework are discussed in greater detail below.

#### *Economic Development (activity centres and industry and enterprise areas)*

The subject site is identified as being located within an Industry and Enterprise Area on Strategic Framework Map 1 (Land Use Elements) and on Strategic Framework Map 2 (Economic Development Elements). The Beerwah Sub-Regional Industry and Enterprise Area is identified in light purple on Strategic Framework Map 2 (included below).



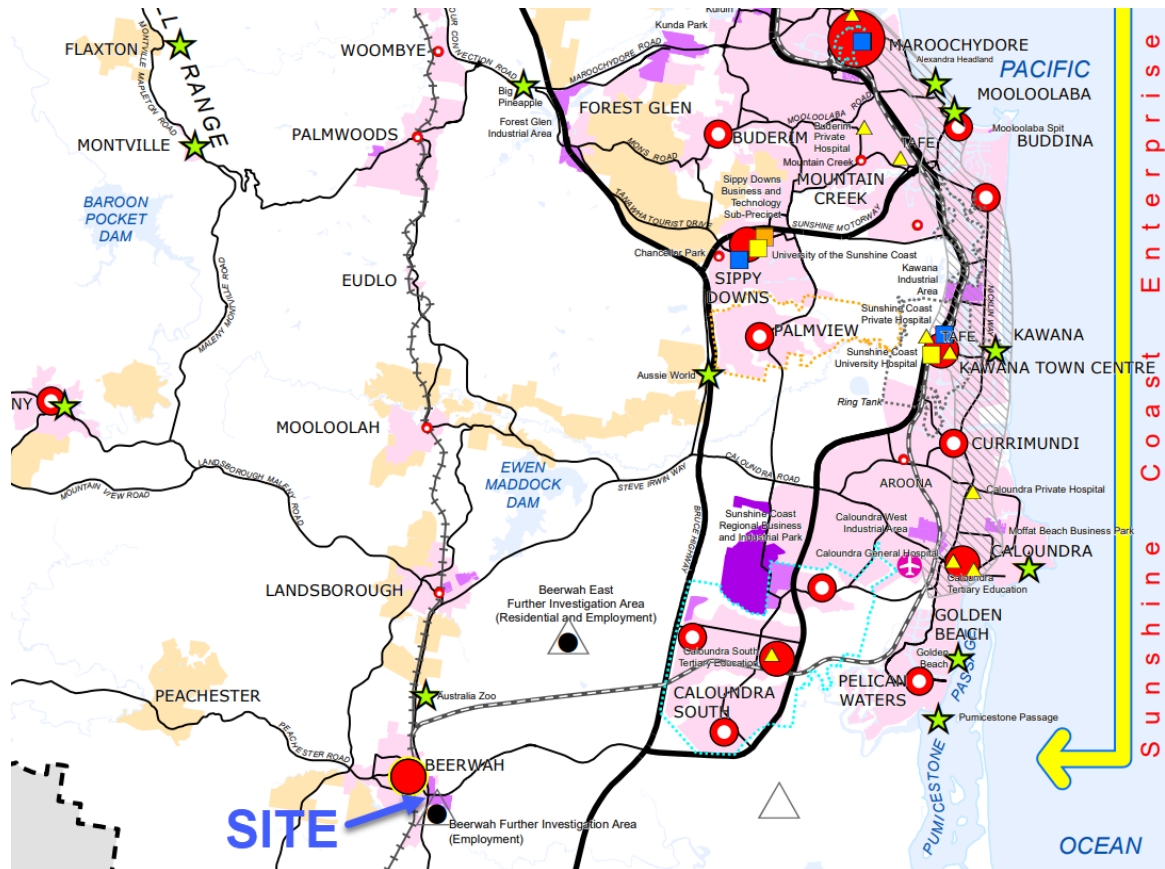


Figure 10 – Strategic Framework Map 2 (Extract)

The site is located to the south-east of the Beerwah Major Regional Activity Centre which is identified as a solid red dot on Strategic Framework Map 2. The site is separated from the Beerwah Major Regional Activity Centre by the Steve Irwin Way and the North Coast Rail Line to the east, and the Kilcoy-Beerwah Road Overpass to the north-east. Lands that form part of the Beerwah Major Regional Activity Centre are included in the Major centre zone in the Planning Scheme.

The site is also located to the south-west of the Beerwah East Further Investigation Area (Residential and Employment) and north of the Beerwah Further Investigation Area (Employment), each identified as a black dot inside a triangle on Strategic Framework Map 2.

The relevant Strategic Outcomes and Specific Outcomes for the Economic Development theme for **activity centres** are as follows (with emphasis added):

*Strategic outcomes 3.4.1(f) and (j)*

- (f) *A network of well-designed, connected and accessible activity centres are provided across the Sunshine Coast with uses and activities which reflect their role and function.*
- (j) *Maroochydore is supported by well-designed and connected major regional activity centres at Kawana, Sippy Downs, Caloundra and Caloundra South and at Nambour and Beerwah.*



*Specific outcomes 3.4.2.1(b) and 3.4.3.1(c)*

- (b) *The traditional sectors of retail, construction, tourism and rural activities are supported through the following:-*
  - (i) *facilitation of development in appropriate locations as provided for by zoning allocations, and particularly in regional activity centres and infill and greenfield major development areas in the Sunshine Coast Enterprise Corridor;*
- (c) *Development does not undermine or compromise the activity centre network either by inappropriately establishing centre activities outside of an activity centre or proposing a higher order or larger scale of uses than intended for a particular activity centre.*

**Comments**

The proposal is to treat a large site (11.29 hectares) as if it were included in the Specialised centre zone in order to facilitate a “homemaker centre” development anchored by a full line supermarket. The Variation Approval Document also provides for 1,000m<sup>2</sup> of Health Care Premises and industrial activities that are low impact in nature. It should be noted that the Planning Scheme does not contemplate supermarkets or health care premises being provided in the Specialised centre zone, because, in accordance with the *Specialised centre zone code*, these uses are “inconsistent” in the zone. In particular, it should be noted that the purpose of the *Specialised centre zone code* is to “...provide for large floor plate retail business activities and other activities which because of their size, requirement for high levels of accessibility to private motor vehicle traffic, or other characteristics, are best located outside of activity centres, adjacent to major roads.” Supermarkets and health care premises are not considered to be uses that are best located outside of activity centres, instead, the Planning Scheme specifically provides for and encourages these uses within activity centres. The subject application therefore proposes a somewhat unconventional juxtaposition of land uses.

Although the Variation Approval Document seeks to allow for a range of low impact industrial activities to be established within the site, it would be reasonable to expect that retailing would be the dominant activity established within a homemaker centre, particularly where a full line supermarket and health care premises are provided.

The proposal therefore involves the creation of a new retail centre that is located outside of Beerwah Major Regional Activity Centre. The proposed centre is separated from the existing centre by major roads and the North Coast Rail Line, and is not within reasonable walking distance from the existing centre (by road, the site is approximately 1.2km from the intersection of Simpson Street and Peachester Road). The proposal, if approved, would draw retailing activity away from and outside of the existing centre and would result in Beerwah having a fragmented, disconnected and unwalkable centre, to the detriment of its character, identity, functionality and viability. The proposal is therefore clearly in conflict with the abovementioned Strategic and Specific Outcomes which seek to provide well-designed and interconnected activity centres, to facilitate centre development within areas specifically identified and zoned for activity centres, and to avoid undermining the activity centre network.

The application's reasons for the proposal despite the above conflicts have been outlined in the economic need and impact assessment, and are provided below in summary form:

- (a) There is a community need for the proposed development in that it would improve the choice, convenience and competition in the supermarket and showroom provision at Beerwah.
- (b) There is an economic need for the proposed development because projected performance would be consistent with benchmark trading levels and that population growth could accommodate a new full line supermarket within the next five years.
- (c) There is a planning need as there are no alternative sites to accommodate the proposed full line supermarket and showrooms.
- (d) The proposed development would generate 180 direct jobs.
- (e) The scale of impacts (less than 15%) is not unreasonable such that no centre's viability would be threatened.

The application relies, in part, upon the fact that the existing Specialised centre zoned land within Beerwah and located immediately to the west of the subject site, has been acquired by the Department of Transport and Main Roads for transport purposes, and is therefore not available for showroom development. However, it should be noted that this land is constrained by flooding and biodiversity overlays, and only a limited portion of it would have been developable for showrooms had it not been acquired by the State government. The location of this land in relation to the subject site is shown below.



*Figure 11 – Specialised centre zoned land to west of site*

The application also relies upon there being insufficient land available within the Beerwah Major Regional Activity Centre to establish a full line supermarket of the size and design proposed (i.e. single storey, roughly square in shape with at-grade parking). The applicant's economic need and impact assessment was peer reviewed by Council's external economic expert. Council's expert has made the following conclusions, which, on balance, dispute many of the applicant's reasons:

- (a) *There is a need for an additional full line supermarket, but that need will not materialise until about 2025, although it is common for operators to wish to enter markets ahead of time.*
- (b) *Whilst it is theoretically possible to accommodate an additional full line supermarket on Centre zoned lands, such an outcome would deliver a substandard outcome. An expansion of Centre zoned lands onto adjoining lands would deliver a more workable full line supermarket offer, but would be impact assessable.*
- (c) *Whilst the loss of Specialised Centre zoned land for transport reasons suggests that some additional Specialised Centre zoned lands should be found elsewhere in Beerwah, the extent of Specialised Centre uses proposed by the Preliminary Approval has not been justified at this time.*
- (d) *The splitting of the Beerwah Centre into three nodes (Woolworths/Fresh & Save; ALDI; and Coles) has not been addressed and is considered to significantly adversely affect the ability of the Major Centre to function as intended by the Planning Scheme by undermining its current dynamics.*
- (e) *The potential loss of industrial land is not of concern.\*\**

*\*\*Note:- Council's Economic Development and Strategic Planning branches hold an alternative view to Council's peer reviewer on the loss of industrial land, and this will be discussed further in a later section of this report.*

With respect to the need for an additional full line supermarket, Council's external economic expert disagrees with the applicant's economic need and impact assessment, citing its analysis supporting an additional full line supermarket in 2018, a second additional full line supermarket by 2025 and a third by 2030 as "wildly optimistic". The following advice has been provided.

*The main trade area had a population of almost 24,000 persons in 2018, rising to almost 31,000 persons by 2031. Assuming that this Area is self-contained from a supermarket perspective, demand can be approximated at 2.5 full line supermarkets in 2018, rising to 3.5 full line supermarkets by 2031. Unfortunately, this population is spread out over six discrete urban areas, ensuring that the majority of these areas have an insufficient population to support full line supermarkets in each of these discrete urban areas.*

*The main trade area is currently supplied by two full line supermarkets (with the Fresh & Save at the lower end of the size range), an ALDI Store and three smaller supermarkets (300-900m<sup>2</sup>). An approval has been granted to increase the 900m<sup>2</sup> supermarket at Mooloolah Valley to 1,522m<sup>2</sup>.*

*I therefore do not consider that there is a gap in the provision of a supermarket in the main trade area at the present time. It is considered that there may be a need for a third full line supermarket in the future, perhaps by around the 2025 to 2030 period.*

*\*\*Note:- Beerwah East is discussed below.*

With respect to the loss of Specialised centre zoned land, and there being insufficient land within the existing Beerwah centre to accommodate a homemaker centre, it should be noted that the Caloundra South Town Centre has the capacity to provide a major

homemaker centre because 60,000m<sup>2</sup> of showrooms are permitted within this centre. Caloundra South will be highly accessible to Beerwah and other communities within the railway corridor once Bells Creek Arterial Road is complete. Council's external economic expert is of the opinion that the applicant's economic need and impact assessment overstates its market share analysis for showrooms on the subject site and has provided the following advice.

*The market share analysis for Showrooms on the balance lands is considered to be overstated. Given that many showroom operators require catchments in the order of 50,000 to 100,000 persons, in circumstances where the main trade area population is only 23,839 persons (2018) to 30,741 persons (2031 and adjusted for overstatement of the secondary trade area - north) and the population is spread sparsely over a wide area, it is not accepted that Showrooms within this main trade area have the potential to capture 50% of the main trade area's showroom expenditure. It is more likely that significantly more than 50% would escape to the larger concentrations of showrooms, such as at Caloundra, Kawana, Maroochydore and, eventually, Caloundra South. It is more likely that showrooms in this main trade area would only be able to retain about 30% of its expenditure base on this category.*

Caloundra South is therefore more likely to attract a larger quantum of showroom floor space than Beerwah, as Beerwah's population is not sufficient to attract all showroom operators that the main trade area residents may wish to visit. In light of this, it is considered that there is no clearly demonstrated need for the site to be included in the Specialised centre zone, as is currently proposed by the application. Furthermore, given that the proposed anchor tenant is a full line supermarket, and up to 1000m<sup>2</sup> of health care premises is intended, if the site fails to deliver the extent of showroom development shown on the Masterplan Concept, it is likely that retailing activities that are typically associated with supermarkets and health care premises (i.e. food and drink outlets, pharmacies and other speciality shops) would seek approval to establish on the site. Such development would further undermine the existing Beerwah Major Regional Activity Centre.

Additionally, the application fails to consider the implications of the development on the Beerwah East Major Development Area identified in the *South East Queensland Regional Plan 2017*. In this regard, Council's Urban Growth Projects Branch has provided the following advice.

*The proposal is considered premature and opportunistic due to the proximate location of the Beerwah East Major Development Area. The South East Queensland Regional Plan "ShapingSEQ" 2017, nominates the Beerwah East as the only Major Development Area in South East Queensland. It is nominated as a Major Development Area due to its ability to provide for the long term residential and employment growth for the Sunshine Coast. The planning and delivery of the Beerwah East Major Development Area is listed as a high priority in the implementation actions of the ShapingSEQ 2017 and requires that the site be development ready by 2027 and 7,000 lots delivered by 2041. The Major Development Area has a residential dwelling target of 20,000 and therefore will support a population of approximately 50,000 residents.*

*Council in close collaboration with the State Government has completed the Structure Planning for the Major Development and is now awaiting the approval of the state to proceed with its implementation.*

*Given the ultimate capacity of the Major Development Area, a range of commercial and retailing centres within Beerwah East will be required. Due to the location of the proposed development it is considered that it will delay the delivery of centres within the Major Development Area. Therefore the proposal not only has the potential to draw significantly out of the retailing core of Beerwah but will also have a significant impact on the planning and delivery of centres within the Major Development Area.*

A map showing the location of the site in relation to the boundary of the Beerwah East Major Development Area is included below.

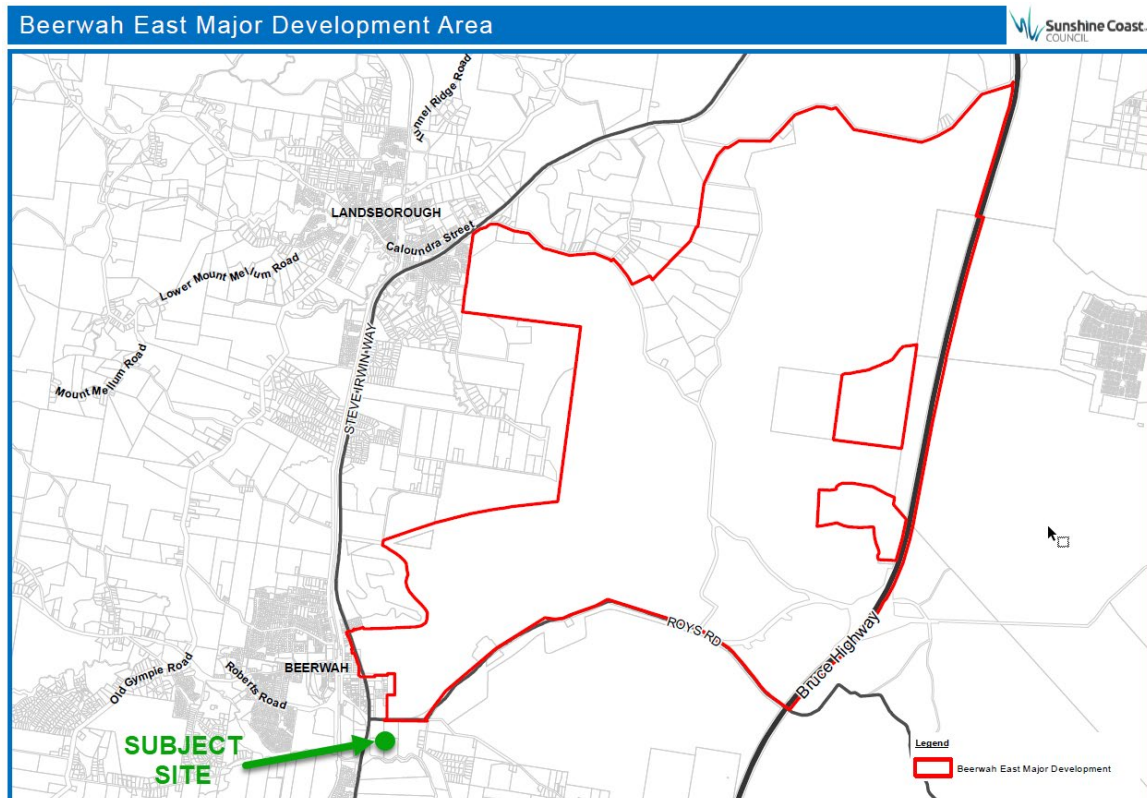


Figure 12 – Beerwah East MDA

It is acknowledged that the existing Specialised centre zoned land in Beerwah has been acquired by the Department of Transport and Main Roads, and, there will be a need for an additional full line supermarket in Beerwah in approximately five years. It is also acknowledged that there is insufficient land presently available in the existing Beerwah Major Regional Activity Centre to accommodate a homemaker centre development and/or a major full line supermarket of the size and design proposed by the applicant. However, it is considered that the applicant has not demonstrated that there is a compelling planning, economic or community need that justifies a major out-of-centre development that would undermine the Sunshine Coast Activity Centre Network and fragment the Beerwah Major Regional Activity Centre. Significant changes to activity centres such as this should not be pre-empted by individual development applications. Rather, these changes ought to be considered holistically in conjunction with the both the planning for the Beerwah East Major Development Area and the new Sunshine Coast Planning Scheme Project. Given that Council's external economic expert considers that an additional supermarket is not warranted until 2025, and the extent of proposed Specialised centre uses has not been



justified, the proposed development is considered to be unjustifiably premature, and is therefore unable to be supported.

The relevant Strategic Outcomes and Specific Outcomes for the Economic Development theme for **industry and enterprise areas** are as follows (with emphasis added):

*Strategic Outcome 3.4.1(s)*

- (s) *The Sunshine Coast's industry and enterprise areas provide opportunities for high value industry and related enterprise which contribute to the strength and diversity of the economy and improved employment opportunities. Industry and enterprise areas are well-designed and accessible to major transport routes to attract niche business and industry investment and are appropriately serviced and connected to contemporary, business grade telecommunications infrastructure as well as being connected to other centres, employment areas and communities. Industry and enterprise areas are protected from encroachment by sensitive land uses.*

*Specific Outcomes 3.4.5.1(a), (b), (c), (d), (e), (f) and (g)*

- (a) *To support the preferred pattern of settlement, development provides for the establishment and further development of industry and enterprise areas, including the regional and sub-regional industry and enterprise areas identified conceptually on **Strategic Framework Map SFM 2(Economic development elements)** and described in further detail in **Table 3.4.5.1 (Industry and enterprise areas)**.*
- (b) *Development in an industry and enterprise area provides for business investment and employment opportunities, particularly in high value industries.*
- (c) *Industry and enterprise areas provide for a scale and nature of industrial use that is compatible with its regional, sub-regional or local classification and the industry zone type.*
- (d) *Development in an industry and enterprise area protects legitimate industry activity from unwarranted intrusion by non-industrial or less intensive industrial development and ensures that non-industrial uses are limited to those uses that are compatible with and provide a desirable support activity to industrial uses.*
- (e) *Industry and enterprise areas are protected from intrusion by incompatible land uses.*
- (f) *Industry and enterprise areas are well-designed and serviced and provide for a range of industry uses.*
- (g) *Industry and enterprise areas provide for the full potential of the enterprise opportunity area to be realised so as to maximise opportunities for investment and employment generation. This includes assigning a specific classification to an enterprise opportunity area to enhance its development and investment potential.*



## **Comments**

As previously outlined, the Variation Request component of the application seeks to replace the Medium impact industry zoned portion of the land (approximately 11.29 hectares) with the Specialised centre zone in order to develop the site as a homemaker centre with a single full line supermarket. The Development Permit component of the application seeks approval of the full line supermarket and one Showroom.

The Masterplan Concept submitted with the application depicts the intended overall development layout for the homemaker centre, including the full line supermarket and Showroom, the proposed Service Station and Food and Drink Outlet (which are the subject of a separate development application - MCU19/0270), as well as the possible arrangement of other land uses on the site.

It is noted that the Masterplan Concept depicts a large area approximately 1.4 hectares in size and located in the south-eastern part of the site for Service Industry or Low Impact Industry. This area has been shown as an indicative shape only and, unlike the balance of the Masterplan Concept, there is no conceptual layout of buildings, access roads and car parking. Additionally, the concept plan does not show an access linkage with the Medium impact industry zoned land to the east. Although the Masterplan Concept (and the Variation Approval Document) provide for the establishment of low impact industry uses, it is considered that the introduction of a wide range of higher order retail uses on the site (such as a full line supermarket, health care premises and showrooms) is likely to lead to few low impact industry uses actually being developed. Furthermore, the internal private road layout proposed by the development incorporates a cul-de-sac with an abrupt bend immediately adjacent to its access intersection with Roys Road. This layout is not conducive to legible, safe and efficient integration of the proposal with any future development of the balance of the industrial zoned land south of Roys Road, located immediately to the east of the site.

The proposal therefore would result in an effective loss of 11.29 hectares of Medium impact industry zoned land from the Beerwah Sub-Regional Industry and Enterprise Area. The proposal is clearly in conflict with the abovementioned Strategic and Specific Outcomes which seek to ensure that identified industry and enterprise areas provide for the full potential of the enterprise opportunity area to be realised so as to maximise opportunities for investment and employment generation in high value industries.

Council's Economic Development Branch has provided the following comments on the proposed loss of industry zoned land:

*The current vacant industrial site in question is of a significant scale (11.29ha) and hence represents a significant proportion of available industrial land in this locality, broader catchment and indeed remaining regional assets overall. It is hence an opportunity for significant economic activity aligned with that land use designation either as a large contiguous use or via a subdivision of the site for multiple occupiers. It is naturally identified in the scheme as a focus for future consolidation and expansion of industrial land uses. Economic Development is of the view that retention and utilisation of industrial land assets is a key element in driving attainment of the objectives of the Regional Economic Development Strategy*

*(REDS), particularly during a period of significant economic disruption, change and challenge.*

*The Sunshine Coast planning framework supports business growth and innovation by establishing a diversity of locations from which businesses can exist, thrive and evolve. The provision of a sufficient supply of industrial land across the region is viewed as a critical part of this framework in addressing both short-term opportunities and longer-term strategic objectives.*

*The proponent's economic study identifies a range of justifications in terms of need and impact however these should naturally not be viewed in isolation from other considerations. It is not believed that the applicant has demonstrated an overriding economic and market demand at the present time for the development and associated uses at the expense of industrial land assets (and associated potential economic activity and diversity) plus in particular and perhaps most notably the potential impacts upon the viability of the existing activity centre.*

Additionally, Council's Strategic Planning Branch has provided the following comments on this issue:

*The proposed development would result in a significant loss of industrial zoned land supply in Beerwah. Whilst we note that over time this loss may be ameliorated by the provision of land in the Beerwah East Major Development Area, we support the view of Economic Development that the retention and utilisation of industrial land assets is key to the attainment of Regional Economic Development Strategy objectives.*

The proposal would result in a significant loss of industry zoned land, and it is considered that this loss would severely compromise and frustrate the potential of the Beerwah Sub-Regional Industry and Enterprise Area being realised. The site is located in the middle of the industry and enterprise area, and the proposed new retail centre represents a land use conflict with established industrial development immediately to the north, and intended future industrial development immediately to the east.

Although it is possible that the loss of industry zoned land may be ameliorated to some extent by the provision of industrial land in the Beerwah East Major Development Area in the future, this is not absolutely guaranteed. Loss of planned industrial land at this location will place pressure on the planning of other areas to compensate. It is considered that the matters raised by the applicant do not represent a compelling planning, economic or community need that justifies such a significant loss of industrial land assets from Beerwah specifically, and the region more generally, and therefore the proposal is unable to be supported.

#### *Community Identity, Character and Social Inclusion (scenic routes)*

Steve Irwin Way is identified as a Scenic Route (in purple) on Strategic Framework Map 6 (Community Identity, Character and Social Inclusion Elements). An extract from Strategic Framework Map 6 is included below.

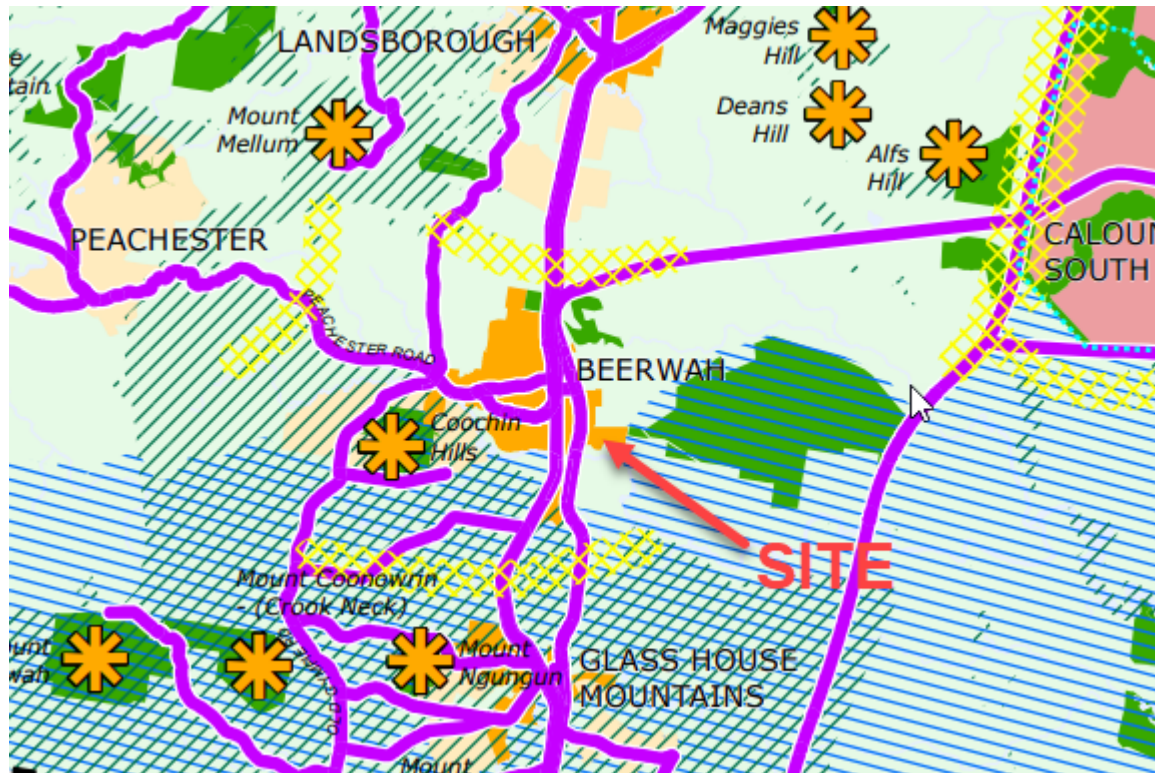


Figure 13 – Strategic Framework Map 6 (Extract)

Specific Outcomes 3.8.2.1(d) (g) and (i) of Element 1 – Landscape elements and features, for the Community Identity, Character and Social Inclusion theme, states that:-

- (d) *Scenic routes are protected and enhanced as major transport routes providing a high level of scenic and visual amenity to travellers.*
- (g) *Other views and vistas, including those identified in local plans or which are important in a local context are also protected, particularly from development which exceeds specified building heights.*
- (i) *Building forms, landscaping and signage complement landscape features and provide for these features to remain intact and undiminished.*

Steve Irwin Way is also identified as a Scenic Route on the Scenic Amenity Overlay Map. Additionally, Figure 7.2.2A (Beerwah Local Plan Elements) identifies the corner of Steve Irwin Way and Roys Road as a Gateway/Entry Point with a Significant View towards Mount Coochin. An extract from Figure 7.2.2A is included below.

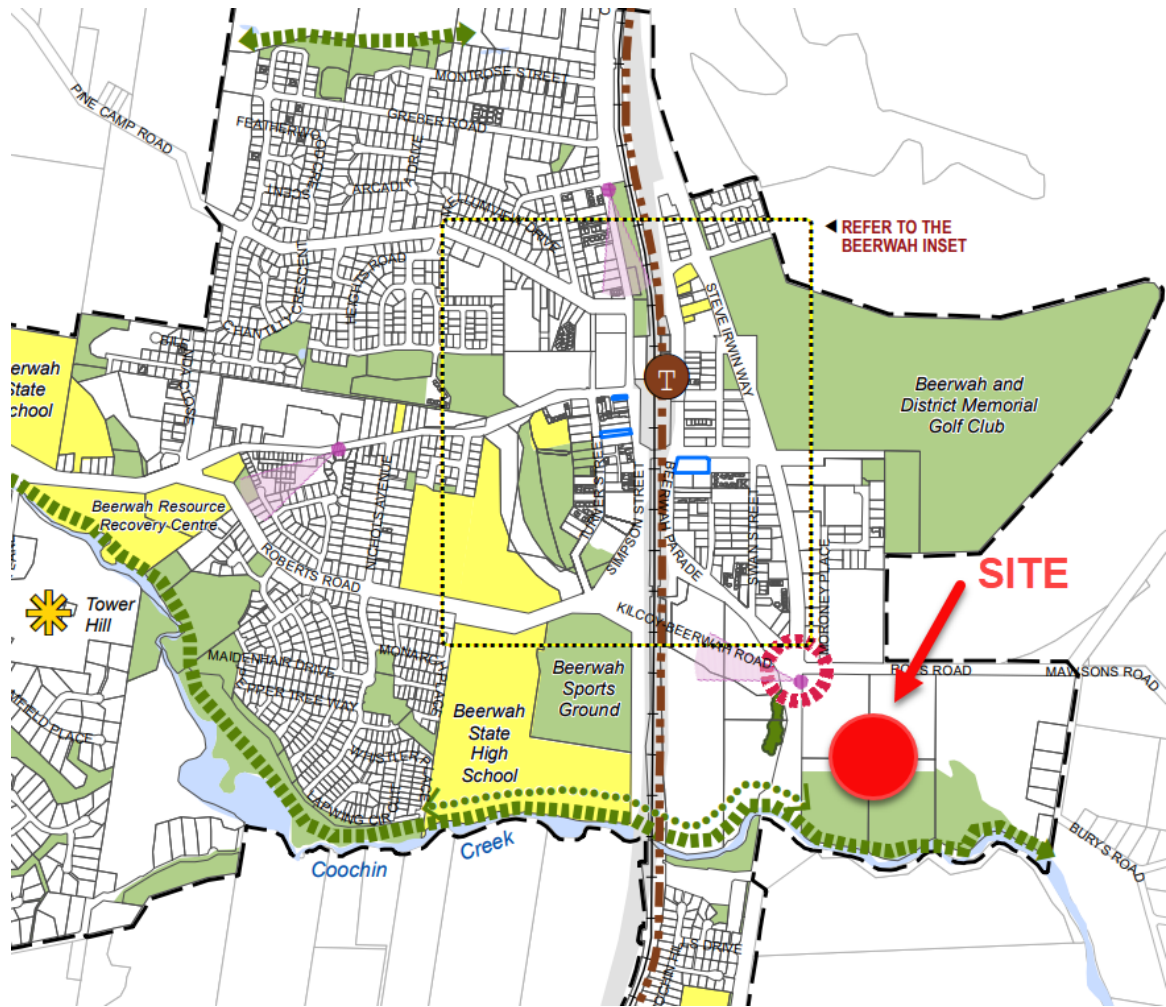


Figure 14 – Figure 7.2.2A (Extract)

**Comments**

Existing views of the site along Steve Irwin Way and Roys Road are provided in the images below.





Figure 15 – View of site from Steve Irwin Way at Roys Road intersection – view south (Google Maps)



Figure 16 – View of site from Roys Road towards Steve Irwin Way intersection – view west (Google Maps)

The Gateway/Entry Point and Significant View at the intersection of Steve Irwin Way and Roys Road is presently framed by existing planted pine trees comprising Slash Pine and Cook Pine, as seen in the images above. The applicant proposes to address the provisions of the Planning Scheme relating to Scenic Routes, Gateway/Entry Points, and Significant Views through a combination of building setbacks and landscaping treatments. In particular, the existing pine trees are proposed to be replaced by Hoop Pines, with details

of this shown on the applicant's Landscape Concept Plan submitted in conjunction with the related application for a Material Change of Use to establish a Service Station and Food and Drink Outlet (MCU19/0270). The related application seeks a development approval for land uses close to the intersection.

The Landscape Concept Plan submitted for the subject application shows landscape buffers being provided adjacent to the Steve Irwin Way frontage. These buffers are provided in two sections split by a proposed left-in left-out access road. A 13m wide strip is proposed adjacent to the main car park, and a 2m wide strip is proposed adjacent to the supermarket.

Extracts from the Landscape Concept Plan are included below.



Figure 17 – Landscape Concept



LANDSCAPE CONCEPT SECTION A-A: CARPARK/STEVE IRWIN INTERFACE



Figure 18 – Landscape Concept - section

LANDSCAPE CONCEPT SECTION B-B: BUILDING/STEVE IRWIN INTERFACE

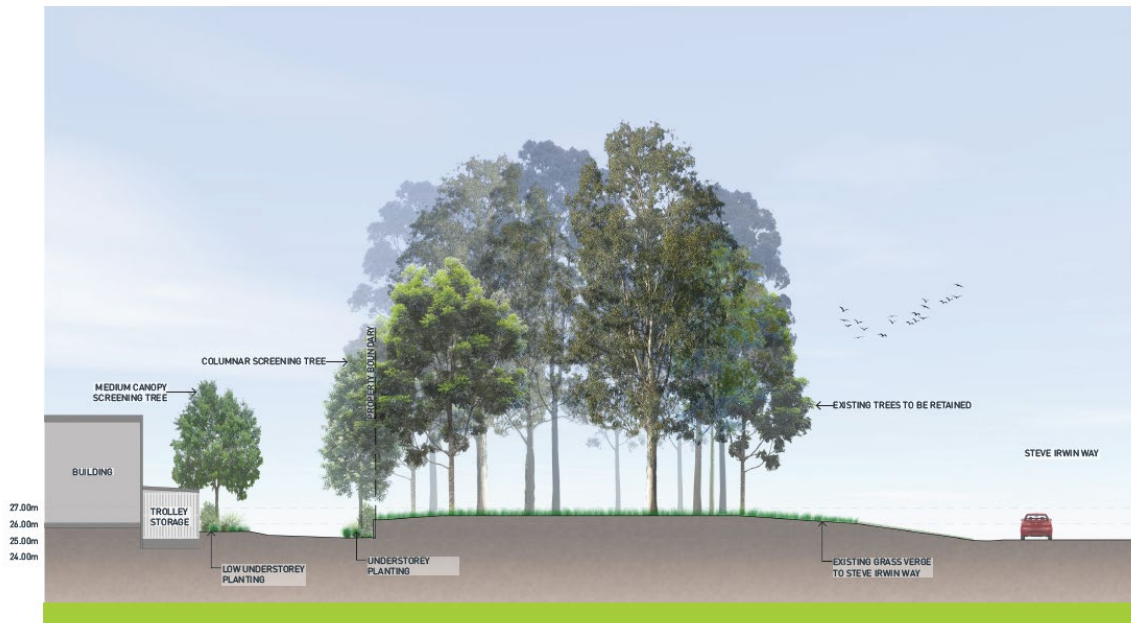


Figure 19 – Landscape Concept - section

The applicant has also submitted a Visual Impact Assessment including photomontages demonstrating the appearance of the development once landscape planting is mature. Extracts from the Visual Impact Assessment are included below.

## 02 Photo Montages

### VIEW 02 - NORTHERN APPROACH



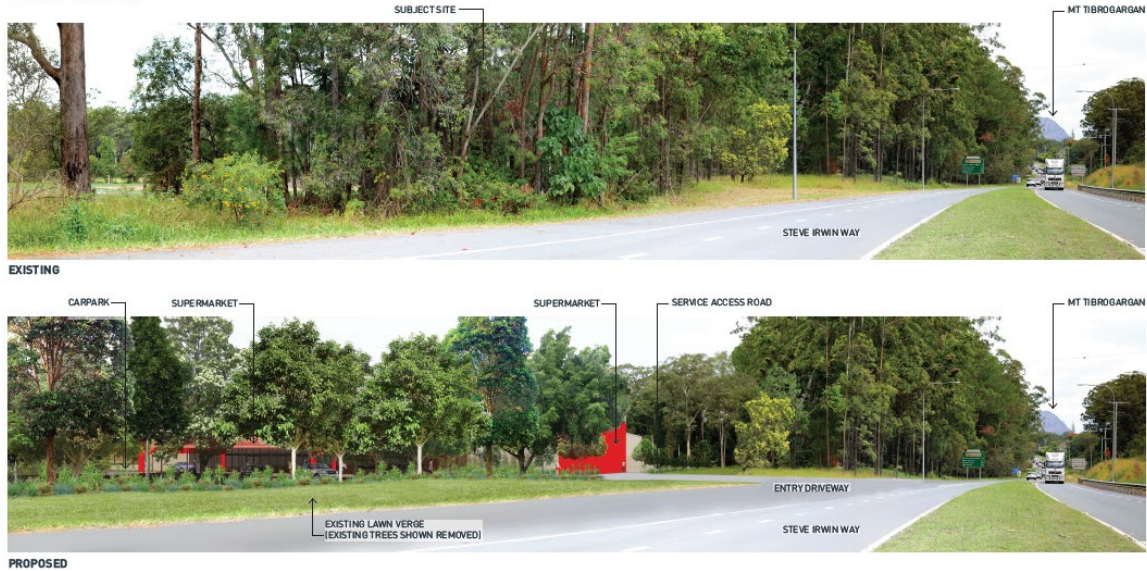
#### KEY POINTS:

- Grove of Hoop Pines to reinforce Gateway Corner, reference the existing Cook Island Pines and to allow views through (to signage and to the development)
- Mass low understorey planting to create enclosure and lateral buffers to Roys Road and carpark whilst ensuring CPTED
- Buffer planting along interfaces with Steve Irwin Way & Roys Road comprise small canopy trees and mass understorey shrubs which achieve 'visual softening' to the development whilst ensuring sightlines to pylon signage (refer Section 2)
- Mounded landscape buffer comprising columnar screening trees, medium canopy screening trees, shrubs and low understorey planting to Supermarket's carpark frontage (refer Section A-A).

**Figure 20 – Visual Impact Assessment – Photomontage view of food and drink outlet (MCU19/0270) and supermarket from Steve Irwin Way at Roys Road intersection – looking south**

## 02 Photo Montages

### VIEW 04 - FRONTAGE



#### KEY POINTS:

- Existing vegetation along Steve Irwin Way shown removed as per council's RFI
- Columnar screening trees and understorey (at lower level) to Supermarket frontage (refer Section B-B)
- Mounded landscape buffer comprising columnar screening trees, medium canopy screening trees, screening shrubs and low understorey planting to carpark frontage (refer Section A-A)

**Figure 21 – Visual Impact Assessment – Photomontage view from Steve Irwin Way frontage at supermarket – looking south**



## 02 Photo Montages

### VIEW 01 - SOUTHERN APPROACH



EXISTING



PROPOSED

#### KEY POINTS:

- Existing vegetation along Steve Irwin Way shown removed as per council's RFI
- Columnar screening trees and understorey (at lower level) to Supermarket frontage (refer Section B-B)
- Mounded landscape buffer comprising columnar screening trees, medium canopy screening trees, shrubs and low understorey planting to carpark frontage (refer Section A-A)
- Hoop Pines establish presence of Gateway in the distance.

**Figure 22 – Visual Impact Assessment – Photomontage view from Steve Irwin Way south of development – looking north**

The photomontages illustrate a very optimistic scenario where all landscape plantings are assumed to have undergone vigorous growth, survived through to maturity and have not been pruned by the site operators to permit clear views into the site development. In particular, it should be noted that the hoop pines incorporated into landscaping at the “Gateway Corner” and along Roys Road would take many years to reach the height indicated in the photomontages (between 10-15m). Nevertheless, it is considered that landscaping is potentially capable of addressing the provisions of the Planning Scheme relating to Scenic Routes, Gateway/Entry Points, and Significant Views provided the following significant improvements are made:-

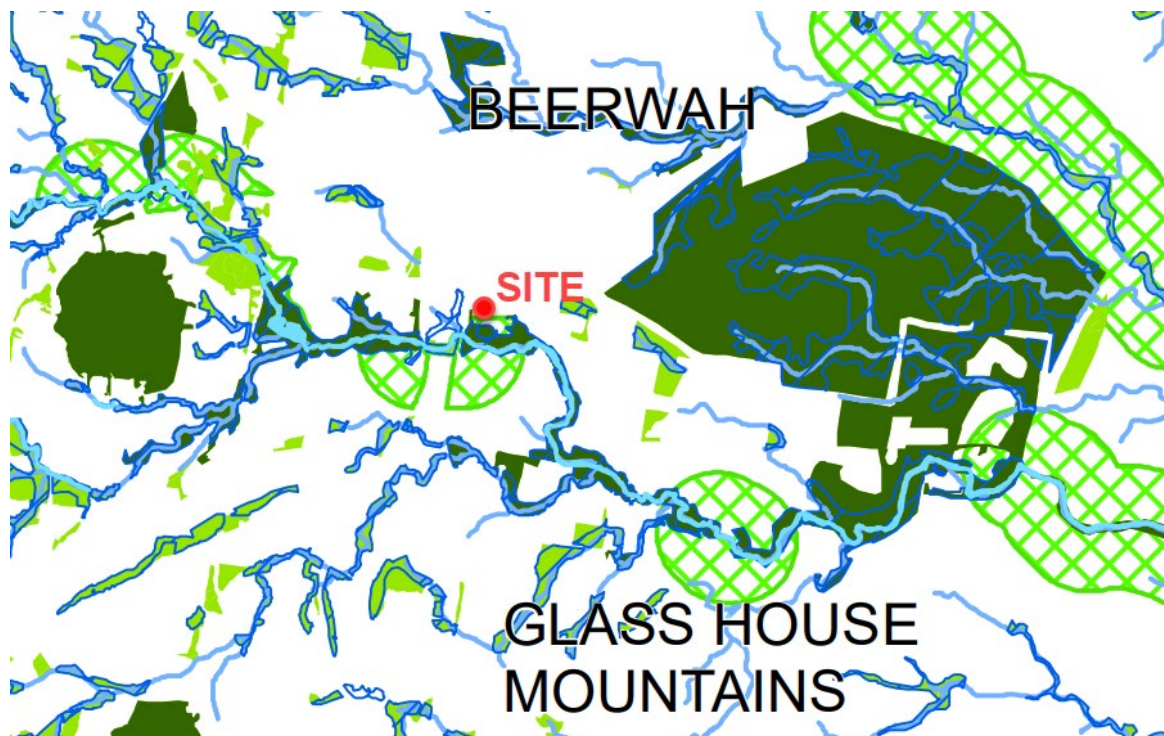
- The proposed landscape buffer to Steve Irwin Way adjacent to the supermarket, at 2m in width is not sufficient to enable the scenic route to be protected and enhanced in accordance with Specific Outcome 3.8.2.1(d) of the Strategic Framework, and the purpose and overall outcomes of the *Scenic amenity overlay code* and the *Beerwah local plan code*. Given the size and scale of the supermarket building at the scenic route frontage (the western wall of the building is approximately 47m long and 8m high), it is considered that this buffer would need to be widened considerably to around the same width as the buffer adjacent to the main carpark (between 10-15m) to ensure that a sufficient density of trees and understorey shrubs are provided in order to achieve a softening of the built form.
- The application does not seek approval of signage, but it is noted that the plans, Landscape Concept Plans and Visual Impact Assessment all show a pylon sign for the proposed supermarket. This sign would be highly visible, even with mature landscaping, and it is considered that its visual dominance neither protects nor enhances the scenic route, nor does it complement the landscape, as required by Specific Outcome 3.8.2.1(d) and (i) of the Strategic Framework and the purpose and overall outcomes of the *Scenic amenity overlay code*. Furthermore, it is considered

that the sign would not contribute towards the establishment of an attractive gateway to Beerwah from the south, as required by the outcomes of the *Beerwah local plan code*. It is considered that the sign would need to be reduced in height considerably and set behind landscaping in order to dramatically reduce its visual dominance and address the relevant Planning Scheme outcomes.

Should Council wish to approve the application, the above matters may be addressed through the provision of amended plans and the imposition of conditions, as there is sufficient space available on the site to permit landscape buffers to be redesigned and increased in width, and for signage to be relocated behind wider landscape buffers.

*Natural environment (ecologically important areas and buffers)*

The subject site is partly identified as an Ecologically Important Area (Core Habitat Area, Natural Wetlands) and Ecological Linkage (Existing and Future Linkage) on Strategic Framework Map 5 (Natural Environment Elements). An extract from Strategic Framework Map 5 is included below.



*Figure 23 – Strategic Framework Map 5 (Extract)*

These attributes are further reflected by the site being partly included in the Environmental management and conservation zone, and the site being partly affected by the vegetated and water related aspects of the Biodiversity, waterways and wetlands overlay. An extract from the overlay mapping is included below. The environmental attributes are focussed around Coochin Creek which forms the southern boundary of the site, and a large band of native vegetation adjacent to the creek.





Figure 24 – Biodiversity, waterways and wetlands overlay (GeoHub)

Specific Outcomes 3.7.2.1(a), (b), (c), (d) and (e), of Element 1 – Natural habitats and biodiversity, for the Natural environment theme states that:-

- (a) *Development is located, designed, constructed and operated to avoid, as far as practicable, or where avoidance is not practicable, minimise and mitigate, adverse impacts on the ecologically important areas identified conceptually on **Strategic Framework Map SFM 5 (Natural environment elements)** which include remnant and regrowth native vegetation, riparian areas and natural waterways, wetlands and waterbodies.*
- (b) *Habitat for endangered, vulnerable, rare and other regionally and locally significant flora and fauna species is protected and enhanced with mitigation measures for species recovery implemented.*
- (c) *Ecologically important areas are not disturbed or diminished by development except where:-*
  - (i) *on the balance of social, economic and environmental considerations, it is demonstrated that the development is in the interests of the community; and*
  - (ii) *any adverse impacts incurred are compensated by the provision of a biodiversity offset that results in a net gain and enhancement to the overall habitat values of the Sunshine Coast.*
- (d) *Ecological buffers, fauna fencing, supplementary planting to prevent edge effects and other measures as appropriate are provided to mitigate adverse impacts from development on land adjacent to an ecologically important area.*
- (e) *The network of ecological linkages identified conceptually on **Strategic Framework Map SFM 5 (Natural environment elements)** is established and maintained by undertaking ecological rehabilitation works in degraded areas*

*(including where as part of a biodiversity offset arrangement), and ensuring unimpeded fauna movement.*

Additionally, Specific Outcomes 3.7.4.1(a), (c), (d) and (e), of Element 3 – Waterways, wetlands and natural waterways catchment, for the Natural environment theme states that:-

- (a) Natural waterways and wetlands are maintained predominantly in their natural state with development providing for rehabilitation and enhancement to improve their ecological functioning and water quality.*
- (c) Where adjoining a natural waterway or wetland, development provides for ecological buffers and other measures to protect and improve ecological functioning and water quality.*
- (d) The quality of ground and surface water is protected and enhanced in a manner that ensures its long-term environmental values and sustainability.*
- (e) The health of waterways and wetlands on the Sunshine Coast is protected and enhanced by applying best practice standards to the quality and quantity of groundwater, surface water and wastewater discharge.*

### **Comments**

The parts of the site included in the Environmental management and conservation zone and affected by the Biodiversity, waterways and wetlands overlay generally coincide. As mentioned earlier in this report, the Environmental management and conservation zoned area is not proposed to be included in the Variation Approval Area, and is not proposed to be developed. However, this part of the site is intended to remain within the overall land holding, and will be split between two proposed lots (Lots 3 and 4 as shown on the reconfiguring proposal plan submitted with a separate but related application for Reconfiguring a Lot - RAL19/0118). An extract from the reconfiguring proposal plan is included below.



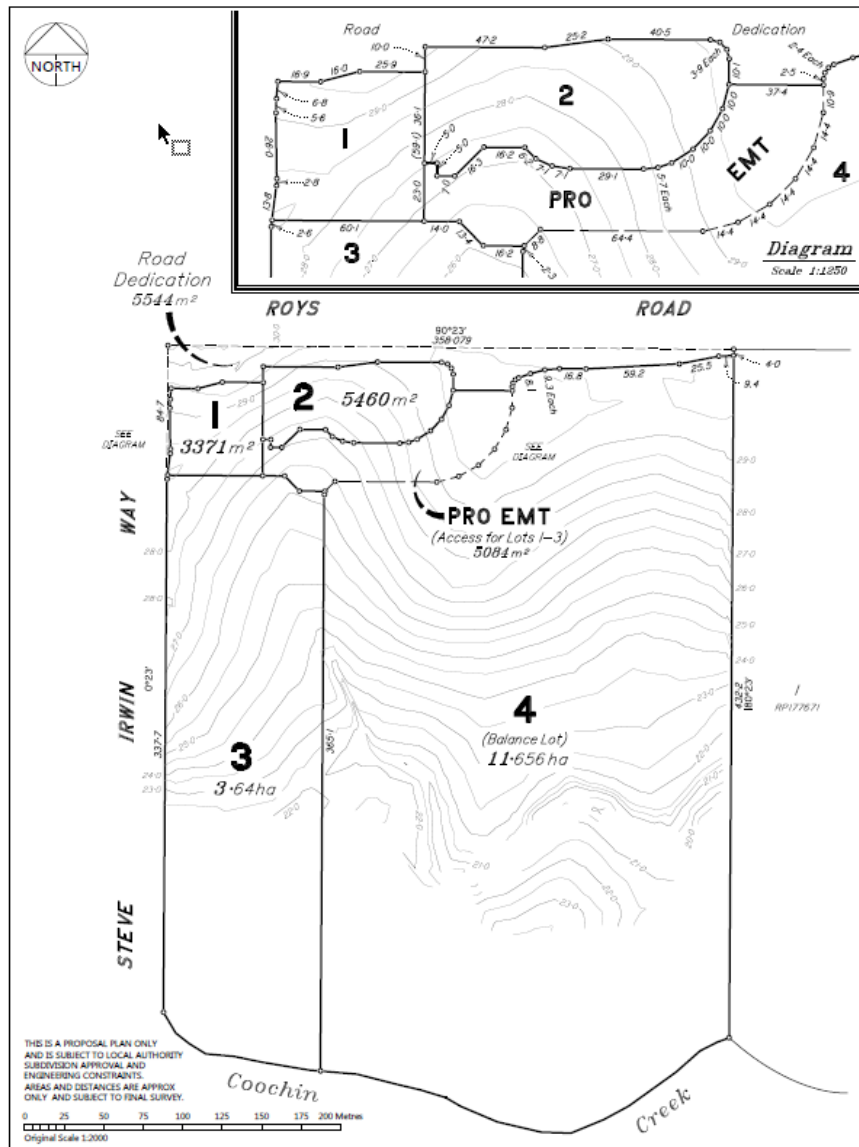


Figure 25 – Reconfiguring Proposal Plan (RAL19/0118)

The applicant submitted an ecological assessment report with the subject application. The ecological assessment report relates to the Development Permit for Material Change of Use component of the application (supermarket and showroom) only, and makes the following summary conclusions.

- (a) *The site supports local and state level biodiversity values.*
- (b) *The MCU development footprint is wholly situated within disturbed former agricultural land devoid of woody vegetation hence represents very low risk of impact to native flora and fauna.*
- (c) *A 15m built infrastructure setback has been provided to the native vegetation areas flanking the development footprint which represents 0.5 times the height of the native vegetation area. The nearest proposed use beyond the 15m setback comprises low risk car parking and traffic routes. This is unlikely to unacceptably impact or lead to a long-term degradation of the environmental*

*values of the adjoining bushland. The earthworks batter for the filling of the site is proposed to encroach into this setback and an arborist assessment would need to be taken at operational works stage to assess the extent of impact to the forest edge from the earthworks and to nominate appropriate civil earthworks protocols to limit the risk of impact during such works.*

- (d) Any changes to the hydrologic regime of the site are not anticipated to impact the aquatic values of the retained waterways and wetlands.*
- (e) Construction of the western access point to the site requires the clearing of 1100m<sup>2</sup> of vegetation mapped as native vegetation area under the Sunshine Coast Planning Scheme 2014. This vegetation has been assessed as not comprising an ecologically important area and the assessment of its clearing impact lies beyond the jurisdiction of Council given its location in the State-controlled road reserve.*
- (f) No conservation significant flora or fauna species protected under the Nature Conservation Act and/or the Environment Protection and Biodiversity Conservation Act were identified within the site.*
- (g) The application has been assessed against the relevant assessment benchmarks and has been determined to be compliant.*

The conclusions of the applicant's ecological assessment are acknowledged. A much higher level of protection for the Ecologically Important Area adjacent to Coochin Creek would be achieved if this area were either dedicated as an environmental reserve, or, included in a vegetation protection covenant. The application has not proposed either of these protection mechanisms. If Council were to approve the application, the dedication of the land as reserve, or the imposition of a vegetation covenant, ought to be imposed upon any approval as there is unlikely to be any future development applications submitted over the proposed supermarket and showroom lot (proposed Lot 3). It is considered that the proposed development is potentially capable of addressing the relevant Strategic Outcomes for the Natural Environment theme, subject to the imposition of conditions on any approval.

### Planning Scheme Codes

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

#### *Biodiversity, waterways and wetlands overlay code*

As mentioned in the preceding section of this report, the site is partly affected by the vegetated and water related aspects of the Biodiversity, waterways and wetlands overlay. The site's environmental attributes are focussed around Coochin Creek which forms the southern boundary of the site, and a large band of native vegetation adjacent to the creek.

A much higher level of protection for the Ecologically Important Area adjacent to Coochin Creek would be achieved if this area were either dedicated as an environmental reserve, or, included in a vegetation protection covenant. It is considered that the proposed development is potentially capable of addressing the purpose and overall outcomes of the

*Biodiversity, waterways and wetlands overlay code*, subject to the imposition of conditions on any approval.

### *Flood hazard overlay code*

The purpose and overall outcomes of the *Flood hazard overlay code* are included below.

- (1) *The purpose of the Flood hazard overlay code is to ensure development protects people and avoids or mitigates the potential adverse impacts of flood and storm tide inundation on property, economic activity and the environment, taking into account the predicted effects of climate change.*
- (2) *The purpose of the Flood hazard overlay code will be achieved through the following overall outcomes:-*
  - (a) *development does not occur on land subject to flooding except in specified circumstances and only where the impacts of flooding can be effectively ameliorated such that there is no foreseeable risk to life or property;*
  - (b) *development protects floodplains and the flood conveyance capacity of waterways;*
  - (c) *development in areas at risk from flood and storm tide inundation is compatible with the nature of the defined flood or storm tide event;*
  - (d) *the safety of people is protected and the risk of harm to property and the natural environment from flood and storm tide inundation is minimised; and*
  - (e) *development does not result in a material increase in the extent or severity of flood or storm tide inundation.*

### **Comments**

Council's Senior Development Engineer (Hydraulics) has provided the following comments:

*The development is impacted by local catchment flooding (DFL 23.96m AHD) and regional flooding (DFL 22.78m AHD). The applicant's report claimed that as the development will manage the overland flow within the site and any upstream catchment, the overland flow paths will be removed and the local catchment flooding is not relevant to the development. It is to be noted that the development proposed the floor level of the supermarket at 26.0m AHD. Therefore, the proposal meets the floor level requirements.*

*A portion of the proposed development is affected by regional flooding. The report has not demonstrated how flood storage on site will be maintained claiming the work required within this area will not have any significant impact to the flood plain without providing any evidence of such claim. It is envisaged that the proposed working within the flood affected area i.e. part of the supermarket building, bioretention basin, retaining wall etc. will obstruct the Coochin Creek flow path and will result in loss of flood storage.*

It is therefore considered that the application has not provided sufficient information to demonstrate that the development would meet the purpose and Overall Outcome (b) of the *Flood hazard overlay code*.

#### *Height of buildings and structures overlay code*

The Height of Buildings and Structures Overlay Map prescribes a maximum height of 12m for development in the Medium impact industry zoned part of the site.

The purpose and overall outcomes of the *Height of buildings and structures overlay code* are included below.

- (1) *The purpose of the Height of buildings and structures overlay code is to protect the distinctive character and amenity of the Sunshine Coast as a place with a predominantly low to medium-rise built form.*
- (2) *The purpose of the Height of buildings and structures overlay code will be achieved through the following overall outcomes:-*
  - (a) *development provides for the height of buildings and structures to comply with specified height limits except where explicitly provided for in this code;*
  - (b) *development contributes to the retention of the preferred built form character for the Sunshine Coast, and the local plan area in which it occurs;*
  - (c) *the height of buildings and structures is consistent with the reasonable expectations of the local community;*
  - (d) *development on a site within a flooding and inundation area, as identified on a Flood Hazard Overlay Map, is afforded an allowance for additional maximum height so as to minimise the risk to people and property; and*
  - (e) *development does not result in a significant loss of amenity for surrounding development, having regard to:-*
    - (i) *the extent and duration of any overshadowing;*
    - (ii) *privacy and overlooking impacts;*
    - (iii) *impacts upon views;*
    - (iv) *building character and appearance; and*
    - (v) *building massing and scale relative to its surroundings.*

#### **Comments**

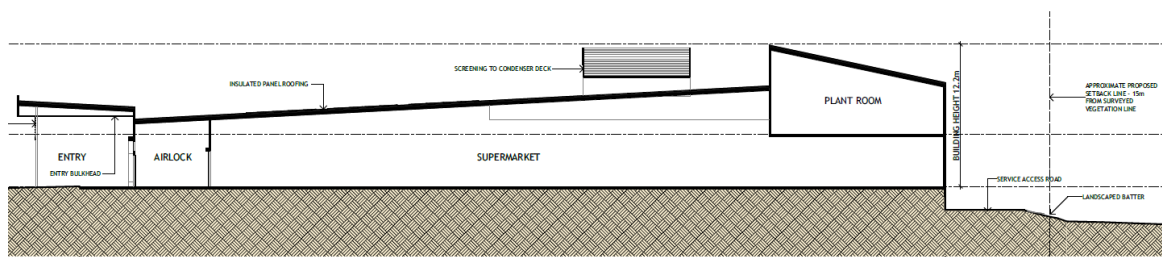
The Variation Approval Document has not proposed to vary the effect of the *Height of buildings and structures overlay code* for the subject land. With respect to the proposed Shopping Centre (Full line supermarket and Showroom), the maximum proposed building height is as follows:

- Supermarket - 12.2m above finished floor level
- Showroom – approximately 8m above finished floor level

The site is proposed to be cut and filled to provide level building pads. The finished floor level of the supermarket, at 26m AHD, is approximately 3m above existing ground level at the lowest point of the development footprint, which is located at the south east corner of the building.

The southern part of the site is identified as being within a flooding and inundation area on the Flood Hazard Overlay Map. In accordance with *the Height of buildings and structures overlay code*, the maximum height of a building or structure is measured from the minimum design floor level required under the *Flood hazard overlay code*. The minimum design floor level for the site is 24.26m AHD.

As the finished floor level of the supermarket building exceeds the minimum design floor level for the site, which, in the southernmost flood prone area of the site is 24.26m AHD, part of the building would exceed the maximum allowable building height under *the Height of buildings and structures overlay code*. The architectural drawings do not specifically identify the height of the building in relation to either existing ground level or the minimum design floor level and therefore, it is difficult to determine to what extent the building exceeds the maximum allowable building height. However, it is likely that the height exceedance would be limited to the condenser deck and plant room, as shown on the north-south section below.



**Figure 25 – North-south section – Supermarket (extract)**

The subject site is undeveloped and located within an area zoned for industrial development. It is therefore considered that the proposed development is unlikely to compromise the retention of the preferred built form character for either Beerwah or the Sunshine Coast (Overall Outcome (b)), or, result in a significant loss of amenity for surrounding development having regard to overshadowing, privacy, views, character and scale (Overall Outcome (e)). However, the proposed development conflicts with Overall Outcome (a), which requires development to comply with specified height limits in the Planning Scheme, because the development exceeds the specified height limit. It is also considered that the proposed development would likely conflict with Overall Outcome (c), which requires building height to be consistent with the reasonable expectations of the local community, because the reasonable expectations of the community would be that development complies with specified height limits in the Planning Scheme. Furthermore, the development conflicts with Overall Outcome (d), which provides for an allowance of additional building height where within a flooding and inundation area, because the development exceeds this allowance.

The proposed development could potentially be modified to comply with the *Height of buildings and structures overlay code*, but this would require changes to the building design or the proposed filling and excavation strategy. It is unknown how practicable these changes would be.

### Scenic amenity overlay code

The relevant outcomes of the *Scenic amenity overlay code* repeat and build upon the outcomes in the *Strategic Framework* and *Beerwah local plan code* relating to Scenic Routes and Significant Views, and these provisions have already been discussed previously in the report. The proposed development is potentially capable of meeting the outcomes of the *Scenic amenity overlay code* subject to landscape buffers being widened and signage being relocated.

### Beerwah local plan code

The overall outcomes and performance outcomes of the *Beerwah local plan code* that are particularly relevant to the assessment are included below (with emphasis added).

*(e) Development provides for centre activities to be consolidated in the Major centre zone on the western side of the rail line, with the Local centre zone on the eastern side of the rail line providing local convenience goods and services for nearby residents. Development in the Local centre zone respects the character of, and provides for the continued operation of, the Beerwah Hotel.*

*(m) The industrial area to the east of Steve Irwin Way is consolidated and expanded to include additional allocated land south of Roys Road and west of Burys Road. Development provides for a range of lot sizes to cater for a range of medium and low impact industrial uses set within an integrated, modern and visually appealing industry park with a high level of environmental performance.*

*(n) Development provides appropriate landscape buffering to Steve Irwin Way in order to effectively screen and soften built form elements and maintain the visual amenity of this road as a scenic route.*

*PO2 Development provides for the retention and enhancement of key landscape elements including historical landmarks, significant views and vistas, existing character trees and areas of significant vegetation contributing to the setting, character and sense of place of Beerwah.*

*PO4 Development adjacent to Steve Irwin Way incorporates a dense landscape buffer to visually screen and soften built form elements and maintain and enhance the visual amenity of the road as a scenic route.*

### **Comments**

The above issues were discussed in detail in the Strategic Framework section of this report.

In summary, the proposed development is in conflict with Overall Outcome (e) because it does not provide for centre activities to be consolidated in the Major centre zone on the western side of the rail line. The proposed new retail centre is separated from the existing Beerwah Major centre zone by major roads and the North Coast Rail Line, and is not within reasonable walking distance from the existing centre. The proposal, if approved, would draw retailing activity away from and outside of the existing centre and would result in



Beerwah having a fragmented, disconnected and unwalkable centre, to the detriment of its character, identity, functionality and viability.

The proposed development is also in conflict with Overall Outcome (m) because it does not provide for the consolidation and expansion of the Beerwah industrial area to the east of Steve Irwin Way. The proposed development effectively removes 11.29 hectares of Medium impact industry zoned land that is intended for industrial development, and seeks to replace it with a homemaker centre development anchored by a full line supermarket. Although the Masterplan Concept (and the Variation Approval Document) provide for the establishment of low impact industry uses on the site, it is considered that the introduction of a wide range of higher order retail uses is likely to lead to few low impact industry uses actually being developed. Furthermore, the proposed layout of the development is not conducive to legible, safe and efficient integration of the proposal with any future development of the balance of the industrial zoned land south of Roys Road, located immediately to the east of the site.

With respect to Overall Outcome (n) and Performance Outcomes PO2 and PO4, which primarily relate to the treatment of the Steve Irwin Way scenic route, it is considered that the proposal is potentially capable of meeting these outcomes, subject to landscape buffers being widened and signage being relocated.

#### Medium impact industry zone code

The purpose and overall outcomes of the *Medium impact industry zone code* that are relevant to the assessment are included below (with emphasis added).

- (1) The purpose of the Medium impact industry zone code is to provide for a range of low and medium impact industrial activities and limited non-industrial activities that are ancillary to industrial activities and do not compromise the operation of industrial activities or the integrity of the Medium impact industry zone.
- (2) *The purpose of the Medium impact industry zone code will be achieved through the following overall outcomes:-*
  - (a) development provides predominantly for low to medium intensity industrial activities, including low impact industry, medium impact industry, research and technology industry, service industry, transport depot and warehouse uses.
  - (b) non-industrial activities, including caretakers accommodation, small scale food and drink outlets primarily servicing local employees, service stations and veterinary services may also be established in the zone where they directly support or are compatible with the ongoing industrial use of the zone.
  - (c) existing and planned industrial activities are protected from the intrusion of incompatible activities that may compromise or conflict with the primary use of the premises for industry purposes.

## **Comments**

The above issue was discussed in detail in the Strategic Framework section of this report. In summary, the proposed development is in conflict with the Purpose and Overall Outcomes of the *Medium impact industry zone code* because it does not provide for a range of industrial activities. As mentioned in the previous section, it is considered that the introduction of a wide range of higher order retail uses on the site is likely to lead to few low impact industry uses actually being developed. Furthermore, the development would severely compromise the integrity of the Medium impact industry zone because it would result in a significant loss of industry zoned land, and it would neither integrate with nor be compatible with established industrial development immediately to the north, and intended future industrial development immediately to the east.

### Transport and parking code

The purpose and the key, relevant overall outcomes of the *Transport and parking code* are as follows (with emphasis added).

- (1) *The purpose of the Transport and parking code is to ensure that transport infrastructure including pathways, public transport infrastructure, roads, parking and service areas, are provided in a manner which meets the needs of the development, whilst promoting active and public transport use and preserving the character and amenity of the Sunshine Coast.*
- (2) *The purpose of the Transport and parking code will be achieved through the following overall outcomes:-*
  - (a) *development is consistent with the objectives of the strategic transport network, which are to:-*
    - (i) *provide for a highly permeable and integrated movement network;*
    - (ii) *improve coordination between land use and transport so as to maximise the potential for walking, cycling and public transport use and reduce reliance on private motor vehicle travel;*
    - (iii) *achieve acceptable levels of access, convenience, efficiency and legibility for all transport users, with the needs of pedestrians considered in the first instance, then cyclists, public transport and then motorists;*
    - (iv) *preserve the amenity of sensitive land uses;*
    - (v) *limit road construction to the minimum necessary to meet the endorsed levels of service for ultimate development of the Sunshine Coast; and*
    - (vi) *provide for staging of Council's limited trunk road construction program to maximise sustainability.*
  - (c) *transport infrastructure is designed and constructed to acceptable standards and operates in a safe and efficient manner that meets community expectations, prevents unacceptable off-site impacts and reduces whole of life cycle costs, including reduced ongoing maintenance costs.*

## **Comments**

The transport implications of the proposed development (both the Preliminary Approval/Variation Request and Development Permit components) and the Department

of Transport and Main Roads' (DTMR's) conditions (issued by the State Assessment and Referral Agency, SARA), have been summarised by Council's Principal Traffic Engineer as follows:

*Both proposals include a private internal street with an all-turns access intersection on Roys Road approximately 150 metres from the existing Moroney Place intersection and 200 metres from the stop line on the State controlled Steve Irwin Way intersection to the west. The preliminary approval application also proposes a left-in / left-out access at the eastern end of the site.*

*The applicant has proposed that the all-turns access intersection be a priority-controlled T-intersection for the development permit application and upgraded to a larger signalised intersection for the preliminary approval application. However, for both applications, DTMR has required the intersection allow for u-turning movements (including by B-Double vehicles) because other SARA conditions also require right-turn movements out of Moroney Place be removed. This is due to the close proximity of Moroney Place to the Steve Irwin Way/Roys Road intersection. The u-turn requirement is to ensure vehicular access for existing uses in Moroney Place is maintained in all directions following the removal of the right-turn out.*

*Consequently, a two-lane roundabout is required at the proposed all-turns intersection to cater for u-turning vehicles. However, the amount of additional land needed from the Roys Road site frontage to widen the road reserve to accommodate a roundabout layout that can safely provide for through traffic, pedestrians and cyclists, plus a raised median along Roys Road, and to maintain a sufficiently wide northern verge, will be much greater than currently identified by the applicant. This will significantly impact on the availability of land for development on the site, including uses the subject of other development applications (e.g. the proposed service station and food and drink outlet).*

*The referral agency response from DTMR also requires the applicant to upgrade the Steve Irwin Way/Roys Road signalised intersection. This includes a left, through and right-turning lane on the Roys Road approach for the development permit application, plus further upgrades (including to other intersection approaches) for the preliminary approval application.*

*Vehicular access to the existing industrial area opposite the site on the northern side of Roys Road is limited to Moroney Place, which has several safety and operational deficiencies due to it being immediately adjacent to the major Steve Irwin Way signalised intersection. The applicant's traffic assessment advises a benefit of providing the primary site access intersection at its proposed location is that it gives an opportunity for a future northern intersection leg to be provided (by others) into the existing industrial estate, thereby improving overall access arrangements for that area. However, such a northern intersection leg extension may not be able to be conditioned for development on the remaining parcel of land in this area and is unlikely to be considered for future acquisition by Council for road purposes in a capital works program. Consequently, there is likely to be more community benefit if the proposed primary site access intersection was located further east on Roys Road, thereby allowing for a potential northern intersection leg to provide access to a part of future development in Beerwah East. Vehicle access, in all directions, for the existing Moroney Place industrial uses would be maintained in future by carrying out the works (or similar) contained in the DTMR approval.*

Council's Principal Traffic Engineer has advised that the proposed external works and road reserve widening on Roys Road, including the proposal's primary access intersection to Roys Road, is insufficient and inappropriate, and therefore does not:

- facilitate the orderly provision of transport infrastructure in accordance with the intended role, function and characteristics of the transport network;
- provide for the reserve width, pavement, and verge of a transport corridor to support the intended role, function and amenity of the transport corridor; and
- provide for a verge width that permits access to be retained for vehicles onto a property at an existing driveway to another site.

Furthermore, the internal street layout proposed by the development does not provide for a transport network that achieves a high level of permeability and connectivity to the surrounding industrial area. The proposal therefore departs from the purpose and overall outcomes of the *Transport and parking code*.

### Stormwater Management Code

The purpose and the key relevant overall outcomes of the *Stormwater management code* are as follows.

- (1) *The purpose of the Stormwater management code is to provide for sustainable stormwater management infrastructure which protects water quality, environmental values and public health.*
- (2) *The purpose of the Stormwater management code will be achieved through the following overall outcomes:-*
  - (a) *development is located, designed, constructed and operated to protect and enhance the environmental values and flow regimes of both constructed and natural waterways, wetlands, lakes, ground waters and drainage systems;*
  - (b) *development is provided with effective stormwater drainage systems to protect people, property and the environment from the effects of stormwater runoff.*

### **Comments**

Council's Senior Development Engineer (Hydraulics) has advised that the applicant's stormwater management report does not propose any detention for peak flow mitigation purposes. The reasons provided cite the site's proximity to the creek, and that by not providing detention, this would encourage flows to be discharged as quickly as possible to avoid coinciding peaks from the upstream creek catchment. However, the catchment is on the upstream end of the creek with significant development potential. Therefore, not providing on site detention for peak flow mitigation without any modelling is neither reasonable nor acceptable. It is envisaged that based on the catchment location, increased hardstand area and development potential, if peak flow from the site is not mitigated, then the development, both by itself and cumulatively, would likely produce adverse hydraulic impact to external properties.

It is considered that the proposed development therefore departs from the purpose and overall outcomes (a) and (b) of the *Stormwater management code*, because it has not

demonstrated that it would protect and enhance the environmental values and flow regimes of constructed and natural waterways and drainage systems, and, it has not demonstrated that it would provide effective stormwater drainage systems to protect people, property and the environment.

### **Assessment Benchmarks Related to a Variation Approval**

Not applicable.

### **Assessment Benchmarks Related to a Temporary Local Planning Instrument**

Not applicable.

### **Other Assessment Matters**

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

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

### **South East Queensland Regional Plan (SEQRP)**

The part of the site that is zoned Medium impact industry is located within the Urban Footprint of the SEQRP. The development is generally consistent with the broad principles expressed in the SEQRP in relation to the Urban Footprint. However, it is considered that the development would likely impact upon one of the Northern Sub-regional “Outcomes for Live – Our Great Places” being achieved. In this regard the SEQRP identifies Beerwah as a “great place” and states:-

*Developing and promoting great places will support the sub-region’s liveability, prosperity and sense of identity and community. Current and evolving great places identified by local governments in the Northern sub-region include:*

- j. Beerwah, an emerging growth town with a modern country feel in the heart of ‘Glass House Country’, supports an active and lively main street where new development blends with its traditional rural town heritage values.*

As mentioned in the Strategic Framework section of this report, the proposal, if approved, would draw retailing activity away from and outside of the existing Beerwah centre (including its main street/s of Peachester Road and Simpson Street) and would result in Beerwah having a fragmented, disconnected and unwalkable centre, to the detriment of its character, identity, functionality and viability. It is therefore considered that the proposed development would not support the abovementioned outcome which seeks to maintain and support an active and lively main street within Beerwah.



## State Planning Policy (SPP)

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

The Assessment Benchmarks within Part E of the State Planning Policy that are particularly relevant to the application (biodiversity, water quality and natural hazards) have been appropriately reflected in the Planning Scheme.

## **CONSULTATION:**

### **Referral Agencies**

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

### Department of State Development, Infrastructure, Local Government and Planning (SARA)

The department is a concurrence agency for State transport infrastructure and State-controlled road matters. The department responded by letter dated 12 March 2021 stating that referral agency conditions must be imposed upon any approval. Broadly, SARA's conditions require the following in relation to transport infrastructure:-

- Right-turn movements out of Moroney Place must be removed.
- The proposed new intersection into the site must be designed to allow for u-turning movements (including by B-Double vehicles). This necessitates the provision of a two-lane roundabout in lieu of the signalised intersection proposed. The u-turn requirement is to ensure vehicular access for existing uses in Moroney Place is maintained in all directions following the removal of the right-turn out.
- The Steve Irwin Way/Roys Road signalised intersection must be upgraded. This includes a left, through and right-turning lane on the Roys Road approach for the development permit application, plus further upgrades (including to other intersection approaches) for the preliminary approval application.

### **Other External Referrals**

The application was referred by Council to Department of Transport and Main Roads for comment about the Specialised centre zoned land located to the west of the subject land that has been acquired by the department for transport purposes. The department was requested to advise if any of the acquired land was likely to become surplus to the department's requirements (and therefore, potentially able to be developed for Specialised centre uses in the future).

A response was received by letter dated 13 December 2019 stating that:-

- Lot 2 on SP229834 is included within the Beerburrum to Nambour Rail Upgrade Project area, identified as Category C protected corridor in the Department of

Transport and Main Roads Approved Planning Policy. This is a funded upgrade project that is currently in early stages of detailed design. At the current stage of planning, it cannot be identified whether there will be (or to what extent) future surplus land associated with the aforementioned lots.

- Lot 21 CG3742 and Lot 120 SP221891 are included in the Steve Irwin Way route strategy, identified as Category B Planning-in-progress in the Department of Transport and Main Roads Approved Planning Policy. This planning is yet to be finalised and as such, there is currently no certainty with respect to any requirements relating to the TMR land.

## **Internal Referrals**

As the application is in conflict with the Planning Scheme and has implications for the Regional Economic Development Strategy and the Beerwah East Major Development Area, the application was referred to Council's Economic, Urban Growth Projects and Strategic Planning branches for comments. Some of the internal referral comments have been incorporated into the Strategic Framework section of this report in summary form. More detailed comments are provided below.

### Economic Development Branch

*The proposal represents a major deviation from the Planning Scheme and the strategic development intent/vision for the Beerwah Activity Centre plus its immediate environs, a deviation which is not believed to be backed by a compelling overall case for change at this time.*

*The proposal would result in the subject site shifting from an industrial land use to a specialised centre designation which is to all intents and purposes predominantly retail and showroom with a full line supermarket as the anchor tenant. The subject site is however physically removed from the current commercial core of Beerwah and has the potential to draw significant activity away from the current activity centre, fragmenting that centre and potentially changing its dynamics, functionality and viability overall. There is naturally therefore a significant concern for the consequential impacts upon the current Beerwah Activity Centre which have neither been allayed nor adequately addressed by the proponent's submissions.*

*The current vacant industrial site in question is of a significant scale (11.29ha) and hence represents a significant proportion of available industrial land in this locality, broader catchment and indeed remaining regional assets overall. It is hence an opportunity for significant economic activity aligned with that land use designation either as a large contiguous use or via a subdivision of the site for multiple occupiers. It is naturally identified in the scheme as a focus for future consolidation and expansion of industrial land uses. Economic Development is of the view that retention and utilisation of industrial land assets is a key element in driving attainment of the objectives of the Regional Economic Development Strategy (REDS), particularly during a period of significant economic disruption, change and challenge.*

*The Sunshine Coast planning framework supports business growth and innovation by establishing a diversity of locations from which businesses can exist, thrive and evolve. The provision of a sufficient supply of industrial land across the region is viewed as a critical part of this framework in addressing both short-term opportunities and longer-term strategic objectives.*

*It is noted that strategic planning processes related to Beerwah East and surrounding areas are currently underway. These integrated processes will naturally encompass complementary examination of the hinterland towns including Beerwah in particular plus broader regional contexts and would collectively be the appropriate vehicle to consider such a major shift in policy and alternative options. The hinterland rail towns overall plus Beerwah and Beerwah East development area are naturally key areas of focus for managing/accommodating growth including utilisation of relevant infrastructure and land assets. The Beerwah East major development area, although a longer term prospect, must still come into consideration given the population base and diversity of uses it would incorporate in proximity to Beerwah moving forward. This particularly includes the subject site in terms of both existing and potential uses and indeed the mix and staging of commercial/retail/industrial uses stemming from the Beerwah East greenfield development over time. It is considered that it would be premature and misguided to pre-empt such an integrated staged strategic approach.*

*The assertions from the proponent that site assembly/aggregation of the lot size desired within the Beerwah Activity Centre is problematic are noted but also a predictable and common issue in brownfield development areas and should not in isolation be used to justify an out of centre alteration of land use or the exclusion of other options. They also point to the current specialised centre zoned land in Beerwah being significantly resumed by the State as a justification in addition to land use constraints. Such aspects should be considered via a holistic strategic approach in relation to Beerwah and other localities in the centre hierarchy rather than on the basis of an individual DA associated with a sole specific site.*

*The proponent's economic study identifies a range of justifications in terms of need and impact however these should naturally not be viewed in isolation from other considerations. It is not believed that the applicant has demonstrated an overriding economic and market demand at the present time for the development and associated uses at the expense of industrial land assets (and associated potential economic activity and diversity) plus in particular and perhaps most notably the potential impacts upon the viability of the existing activity centre.*

### Urban Growth Projects Branch

*The proposal is considered premature and opportunistic due to the proximate location of the Beerwah East Major Development Area. The South East Queensland Regional Plan "ShapingSEQ" 2017, nominates the Beerwah East as the only Major Development Area in South East Queensland. It is nominated as a Major Development Area due to its ability to provide for the long term residential and employment growth for the Sunshine Coast. The planning and delivery of the*

*Beerwah East Major Development Area is listed as a high priority in the implementation actions of the ShapingSEQ 2017 and requires that the site be development ready by 2027 and 7 000 lots delivered by 2041. The Major Development Area has a residential dwelling target of 20 0000 and therefore will support a population of approximately 50 000 residents.*

*Council in close collaboration with the State Government has completed the Structure Planning for the Major Development and is now awaiting the approval of the State to proceed with its implementation.*

*Given the ultimate capacity of the Major Development Area, a range of commercial and retailing centres within Beerwah East will be required. Due to the location of the proposed development it is considered that it will delay the delivery of centres within the Major Development Area. Therefore the proposal not only has the potential to draw significantly out of the retailing core Beerwah but will also have a significant impact on the planning and delivery of centres within the Major Development Area.*

*It is noted that the applicant has argued planning need for an additional supermarket in Beerwah. Council's consultant however has stated that in his opinion an additional supermarket is not warranted until 2025. By 2025 the delivery of the Major Development Area will have been formalised and there will be greater certainty in regard to the centre hierarchy for Beerwah and the Major Development Area.*

*The proposal represents a major out of centre development. It is considered that the applicant has not demonstrated that the proposal will not have any impact on character, identity and functioning of the Beerwah Activity Centre and the surrounding township. The applicant has heavily asserted that fragmentation of land and ownership is a key driver/ justification for requiring out of centre development in this locality. This issue however will be faced in many of the Sunshine Coast centres as consolidation occurs and our population grows. Justification on this issue alone, in the absence of planning need being established would set a concerning precedence.*

*It is evident that an overall strategic assessment and review of the centres and proposed hierarchy is warranted, particularly in the southern end of the local government area given the population growth over the next decade that will occur in Caloundra South, Beerwah East Major Development Area and infill targets for Beerwah and Landsborough.*

*At this stage it is considered that the application is premature and that sufficient planning and economic grounds have not been established to warrant approval of the application. Refusal of the application is therefore recommended.*

### Strategic Planning Branch

*The proposal is in clear and substantial conflict with the Medium Impact Industry Zone Code and the Beerwah Local Plan Code.*

*The following conflicts with the Strategic Framework have also been identified:*

- *Strategic Outcome 3.4.1 (s) which speaks to the industry and enterprise areas providing opportunities for high value industry and related enterprises.*
- *Specific Outcomes in Element 4 – Industry and enterprise areas (s3.4.5.1) which also support this.*
- *Specific Outcome 3.4.3.1(c) is also relevant in that it seeks to ensure that development does not undermine or compromise the activity centre network by inappropriately establishing centre activities outside of an activity centre.*

*Strategic Planning Branch does not support the development application on the basis that:*

- *The applicant has not demonstrated sufficient planning need to justify approval in conflict with the SCPS 2014.*
- *Council’s peer review found there is insufficient demand for the extent of Showrooms proposed.*
- *The proposal is considered to be premature given that:*
  - *Council’s economic peer review concluded that the need for an additional full line supermarket will not materialise until about 2025; and*
  - *Planning for the Beerwah East Major Development Area (MDA) is underway and is likely to result in significant change to the role of Beerwah in the Sunshine Coast activity centre network.*
- *The proposed development presents a significant risk to the character, identity and functioning of the existing Beerwah Activity Centre. Potential impacts on the existing centre have not been satisfactorily addressed by the applicant.*
- *The proposed development presents a significant risk to the delivery of centres within the Beerwah East MDA.*
- *The proposed development would result in a significant loss of industrial zoned land supply in Beerwah. Whilst we note that over time this loss may be ameliorated by the provision of land in the Beerwah East MDA, we support the view of Economic Development that the retention and utilisation of industrial land assets is key to the attainment of Regional Economic Development Strategy objectives.*
- *The transport network concerns raised in the UGP advice highlight the broader need for a holistic strategic planning review of the area with a focus on the inter-connection between Beerwah East and the existing Beerwah and Landsborough townships.*

## **Public Notification**

The application was publicly notified for 31 days between 1 October 2020 and 16 November 2020 in accordance with the requirements of the *Planning Act 2016*. A total of 53 submissions were received, of which 41 were determined to be ‘properly made’ in accordance with the *Planning Act 2016*. Of the 41 properly made submissions received,



31 were opposed to the application and 10 were in support. A number of submissions received in opposition to the development are business owners, operators and/or employees within the existing Beerwah town centre.

The following table provides a description of the matters raised in submissions received about the application, together with a statement of how those matters were dealt with in reaching a decision:

Submissions Opposed

| <b>ISSUES</b>  | <b>COMMENTS</b>   |
|--|---|
| <p><u>Beerwah Centre Impacts</u></p> <ul style="list-style-type: none"> <li>• The development will detract from and adversely impact upon the role and function of the Beerwah Activity Centre, including trading in the Beerwah Activity Centre in a way which detracts from the performance of the Beerwah Activity Centre.</li> <li>• Splitting the geography of business activity is illogical as it effectively creates competing commercial zones and complicates access for customers.</li> <li>• The Beerwah town centre was split a few years ago when the level crossing was closed and the bridge over the rail line built. This split negatively impacted upon Beerwah businesses and this further split will create more negative impacts.</li> <li>• The applicant's economic assessment does not contain information on the affect the fragmentation of the business area would have on local owned businesses. The social impact of this fragmentation has not been assessed.</li> <li>• The development will undermine the viability of existing commercial businesses in the Beerwah town centre including the existing supermarkets. Many business have been negatively impacted by the COVID-19 pandemic and the development will exacerbate this.</li> <li>• The applicant seeks to get an unfair commercial advantage by locating outside of the Beerwah centre and drawing a large volume of trade away from the existing centre.</li> <li>• The applicant's economic assessment classes the Beerwah Fresh and Save as a limited-line supermarket and this misrepresents the Fresh and Save offering which is 2439m<sup>2</sup>, comparable in size to many Coles and Woolworths supermarkets and stocks a full range of food and grocery products.</li> <li>• Development should occur on vacant land in the existing centre thereby contributing to an expanding business community for the greater good of all of</li> </ul> | <p>It is agreed that the development would draw retailing activity away from and outside of the existing Beerwah Major Regional Activity Centre and would result in Beerwah having a fragmented, disconnected and unwalkable centre, to the detriment of its character, identity, functionality and viability. The application has not addressed the economic and social impacts of fragmenting the existing centre.</p> <p>It is agreed that Caloundra South is more likely to attract a larger quantum of showroom floor space that Beerwah, and it is considered that Beerwah's population is not sufficient to attract all showroom operators that the main trade area residents may wish to visit.</p> |

| <b>ISSUES</b>   | <b>COMMENTS</b>  |
|---|--|
| <p>Beerwah. Shops support each other in creating a vibrant community.</p> <ul style="list-style-type: none"> <li>• Council has spent many millions of dollars upgrading the town centre to make it more attractive for customers to shop locally. Approving the development will make that expenditure a wasted exercise.</li> <li>• The proposed centre is not a major centre but more of the same. With the proposed major centre development at Caloundra South and the significantly greater residential catchment in which it will be located, major showroom retailers will not be attracted to the proposal.</li> </ul>  |  |
| <p><u>Other Centre Impacts</u></p> <ul style="list-style-type: none"> <li>• Another shopping centre in Beerwah could have adverse impacts on the viability of commercial development within surrounding hinterland towns.</li> <li>• The applicant's economic assessment anticipates that the proposed development will draw from a wider catchment than the Beerwah locality, inclusive of Nambour and Sippy Downs. This is clearly a detractor from these centres and an assessment of the economic impact on these centres as a consequence of an 'out of centre zone' proposal has not been undertaken.</li> <li>• New commercial and retail development should be located in the established Glass House country towns.</li> <li>• There is potential that residents of Caloundra South may patronise hinterland townships at times for a more relaxed country shopping experience. The proposed Coles site is positioned to draw market share from both Caloundra South and Beerwah.</li> </ul> | <p>It is agreed that new large scale commercial developments should be located on centre zoned land and in accordance with the Sunshine Coast Activity Centre Network. The location of the proposed centre on a highly accessible site at the corner of Steve Irwin Way and Roys Road may draw retailing activity away from other centres in addition to the existing Beerwah centre.</p>                |
| <p><u>Insufficient Need/Justification</u></p> <ul style="list-style-type: none"> <li>• Much of the assessment has been predicated on the lack of contiguous parcels of suitability zoned land in a single ownership. This methodology fails to acknowledge the extent of suitability zoned land already available in the Beerwah township (and / or other nearby hinterland townships) for a development of this nature, albeit that such landholdings rest within separate ownership. It is acknowledged that this presents a challenge to development but is not an insurmountable proposition in the appropriate circumstances.</li> <li>• Beerwah already has 3 major supermarkets and another one isn't needed.</li> </ul>   | <p>It is agreed that the issue of consolidating contiguous land parcels for development will be faced in many of the Sunshine Coast centres as growth occurs and that this should not in isolation be used to justify an out of centre alteration of land use or the exclusion of other options.</p> <p>It is agreed that an additional supermarket is not warranted at this time, and the extent of</p> |

| <b>ISSUES</b>   | <b>COMMENTS</b>   |
|---|---|
| <ul style="list-style-type: none"> <li>• There are vacant shops and vacant land in the existing Beerwah centre that could be developed. The developer could also procure and redevelop existing buildings.</li> <li>• There is adequate room to accommodate the supermarket in the Beerwah Market Place and Beerwah Village Shopping Centre, and therefore new commercial development outside of the centre is not needed.</li> <li>• The proposal seeks to jump ahead of the shopping centres that will be built in the Beerwah East growth area. This is bad planning because Beerwah East will need a town centre in its centre not at its extreme southern edge.</li> <li>• The applicant's economic assessment does not consider the Caloundra South Town Centre which is considered relevant as although located 12km away by road is not an unreasonable distance to travel in light of the strong connections that will be provided when the Bells Creek Arterial Road is completed.</li> </ul> | <p>proposed Specialised centre uses has not been justified.</p> <p>It is also agreed that the development has the potential to impact upon the delivery of centres within the Beerwah East Major Development Area and that the proposal is premature in light of the structure planning currently being progressed by Council and State government.</p> <p>It is considered that the relevant matters relied upon by the applicant do not overcome the anticipated negative impacts of the development.</p> <p>It is agreed that the economic assessment should take into account that the Caloundra South Town Centre will accommodate a very large area of showroom floor space, and will be highly accessible to the Beerwah and surrounding communities once the Bells Creek Arterial Road is complete.</p> |
| <p><u>Planning Scheme Conflicts</u></p> <ul style="list-style-type: none"> <li>• The development strikes at the heart of, and undermines a central pillar of the Planning Scheme, the centres hierarchy.</li> <li>• The proposed development includes a core retail function, a supermarket, outside of a centre in circumstances where there is no planning, economic or community need for the development.</li> <li>• The development will subvert the aspirations of the planning authority for the locality.</li> <li>• The proposed development is inconsistent with the overall outcomes of the Beerwah local plan code that relate to development in the Major centre zone and the Beerwah industry zone.</li> <li>• The proposed development is inconsistent with the purpose of the Medium impact industry zone code.</li> </ul>  | <p>It is agreed that the proposed development conflicts with many outcomes within the Strategic Framework, Beerwah local plan code and the Medium impact industry code.</p> <p>The proposed development represents a major out-of-centre development that would have many negative consequences if it were approved, including the undermining of the Sunshine Coast Activity Centre Network and the fragmentation of the Beerwah Major Regional</p>  |

| <b>ISSUES</b>   | <b>COMMENTS</b>   |
|---|---|
|   | <p>Activity Centre. Additionally, it is considered that the proposed development would also have a significant impact on the planning and delivery of centres within the Beerwah Major Development Area.</p> <p>The proposed development would also severely compromise and frustrate the potential of the Beerwah Sub-Regional Industry and Enterprise Area being realised.</p> <p>It is considered that the matters raised by the applicant do not represent a compelling planning, economic or community need that justifies approval of the application despite the identified conflicts with the Planning Scheme and the negative consequences of the development.</p> |
| <p><u>Loss of Industrial Land</u></p> <ul style="list-style-type: none"> <li>• The proposal will see the considerable reduction of land available for industrial uses and this has not been justified by the applicant.</li> <li>• The applicant's economic report appears to have ignored the recently completed timber/hardware warehouse that occupies a large area of the industrial precinct and seeks to down play the need for industrial land in favour of business land, but with no industrial zoned land in Mooloolah Glass House Mountains and Beerburrum and only a limited supply in Landsborough, the reduction of land available will impact on the potential for local industry jobs and economic generation.</li> </ul> | <p>It is agreed that the applicant has not demonstrated an overriding economic and market demand at the present time for the development and associated uses at the expense of industrial land assets and associated potential economic activity and diversity.</p>   |
| <p><u>Traffic and Transport</u></p> <ul style="list-style-type: none"> <li>• There are significant traffic safety and efficiency issues which will arise as a consequence of approving the development.</li> <li>• The development will increase traffic significantly at the intersection of Roys Road and Steve Irwin Way</li> </ul>  | <p>Noted. As part of the application process, the State Government, via the State Assessment and Referral Agency (SARA), was required to assess the application as it relates to particular matters of State interest.</p>  |



| <b>ISSUES</b>  | <b>COMMENTS</b>  |
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| <p>and the additional access points proposed will create further congestion.</p> <ul style="list-style-type: none"> <li>• If the development proceeds a pedestrian overpass bridge over Steve Irwin Way should be provided especially for school children, the elderly and disabled.</li> </ul>  | <p>SARA has provided their response and conditions for the development application should it be approved by Council. This primarily relates to impacts on the State-controlled road network, with the Queensland Department of Transport and Main Roads responsible for the Steve Irwin Way / Roys Road / Kilcoy Beerwah Road intersection.</p>  |
| <p><u>Multiple Applications/Piecemeal Approach</u></p> <ul style="list-style-type: none"> <li>• The lodgement of multiple separate applications over the same site makes it difficult to find out exactly what is planned.</li> <li>• The piecemeal lodgement of applications is burdensome for Council to administer and for the community to comment on.</li> <li>• The future development of Beerwah should be planned in a co-ordinated way rather than development occurring in dribs and drabs over a period of time.</li> </ul> | <p>It is agreed that the lodgement of 3 separate but related applications seeking approval for 4 aspects of development has caused some confusion in the community with respect to the overall development concept. However, development assessment process is applicant-driven and the lodgement of multiple applications at the same time over the same site is permitted under planning legislation.</p>        |
| <p><u>Application Details</u><br/>The proposed type of showroom is not described so it is difficult to accept that it will be beneficial without further details.</p>  | <p>Noted but the applicant is not required to disclose the intended retail operators.</p>  |
| <p><u>Coochin Creek</u><br/>Development will increase stormwater runoff and pollution to Coochin Creek.</p>  | <p>The application has not provided sufficient information to demonstrate that it would protect and enhance the environmental values and flow regimes of constructed and natural waterways and drainage systems, and that it would provide effective stormwater drainage systems to protect people, property and the environment. However, it is likely such an outcome is achievable with appropriate design.</p> |

| <b>ISSUES</b>  | <b>COMMENTS</b>   |
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| <p><u>Increased Noise, Pollution and Bad Behaviour</u><br/> Concerned that there will be a significant increase in noise and pollution from construction and increased noise and bad behaviour by both pedestrians and road users going to and from the development.</p> | <p>Any development on the site would generate additional noise from construction. If a development is approved, such impacts would be mitigated through the implementation of construction management plans.</p> <p>Perceptions around pedestrian and driver behaviour is not a matter that is particularly relevant to the assessment.</p> |
| <p><u>Impact on Rural Character</u></p> <ul style="list-style-type: none"> <li>• Development will have a negative impact on those living in adjacent areas of the town and surrounding rural districts.</li> </ul>   | <p>This is a broad statement but it is agreed that a development of this nature ought to be incorporated into the Beerwah major centre on the western side of the rail line where other business activities are presently concentrated, and not on the subject site which is intended for industrial development.</p>                       |

#### Submissions in Support

| <b>ISSUES</b>  | <b>COMMENTS</b>  |
|--|--|
| <p><u>Benefits for Beerwah community &amp; hinterland</u></p> <ul style="list-style-type: none"> <li>• Beerwah should be encouraged to develop into the major commercial and retail hub for the hinterland.</li> <li>• Development will bring more jobs to Beerwah and a bigger centre for people to shop at as well as more variety and choice.</li> <li>• Woolworths has a monopoly on supermarkets in the hinterland and the proposed Coles provides an alternative, healthy competition and it will be easier to park at compared with the existing Woolworths in Beerwah.</li> <li>• The development will help ease congestion in the existing Beerwah centre.</li> <li>• More local services and retail is needed as Beerwah grows. The development will in due course help to grow a bigger pie for all to share.</li> <li>• The development is a better location for residents living on the eastern side of the rail line.</li> </ul> | <p>The comments made are noted but the proposed development conflicts with many outcomes within the Strategic Framework, Beerwah local plan code and the Medium impact industry code.</p> <p>The proposed development represents a major out-of-centre development that would have many negative consequences if it were approved, including the undermining of the Sunshine Coast Activity Centre Network and the fragmentation of the Beerwah Major Regional Activity Centre. Additionally, it</p> |

| <b>ISSUES</b>   | <b>COMMENTS</b>   |
|---|---|
| <ul style="list-style-type: none"> <li>• The development would allow commuters along Steve Irwin Way to shop on their way home rather than driving into Beerwah.</li> <li>• Development of homemaker centre in Beerwah will save local residents travel time.</li> <li>• Development of a Coles will allow local Coles employees to transfer to it and save travel time and cost.</li> <li>• A sport and recreation centre should be supported as there isn't one currently available for hinterland residents.</li> </ul>  | <p>is considered that the proposed development would also have a significant impact on the planning and delivery of centres within the Beerwah Major Development Area.</p> <p>The proposed development would also severely compromise and frustrate the potential of the Beerwah Sub-Regional Industry and Enterprise Area being realised.</p> <p>It is considered that the matters raised by the applicant do not represent a compelling planning, economic or community need that justifies approval of the application despite the identified conflicts with the Planning Scheme and the negative consequences of the development.</p> |
| <p><u>Design issues managed</u></p> <ul style="list-style-type: none"> <li>• Any traffic and pedestrian issues arising from the proposed development can be managed with good planning and design.</li> <li>• The proposed buildings are within the height limit, are well set back from the Steve Irwin Way, and a significant green belt to the creek will be retained for wildlife habitat to manage rainwater runoff.</li> <li>• The development will provide a clear and welcoming gateway to the rest of Beerwah and will enhance Steve Irwin Way.</li> </ul> | <p>Noted. It is considered that the proposed development has not satisfactorily addressed the Planning Scheme outcomes relating to protection of ecologically important areas, protection and enhancement of scenic routes and provision of appropriate gateways. However, these issues may be addressed through the imposition of reasonable and relevant conditions on any approval.</p>  |
| <p><u>Potential Improvements to Steve Irwin Way</u></p> <ul style="list-style-type: none"> <li>• The development may result in triggering the State government to upgrade Steve Irwin Way which, as a secondary main route, desperately needs upgrading.</li> </ul>   | <p>Noted. This is a matter for the Department of Transport and Main Roads.</p>  |

## CONCLUSION:

The proposed development does not comply with, nor can it be conditioned to comply with, the assessment benchmarks contained within the *Sunshine Coast Planning Scheme 2014*. There are no other relevant matters applicable to the application, including the existence of planning, economic or community need, that justify approving the proposed development despite the non-compliances described in this report. As such, the application is recommended for refusal. The reasons for refusal are as follows:

1. The proposed development departs from the policy direction of the Strategic Framework for the *Sunshine Coast Planning Scheme 2014*, in particular, Theme 2 – Economic development, and the Strategic Outcomes and Specific Outcomes therein relating to activity centres and industry and enterprise areas. Additionally, the proposed development departs from Overall Outcomes (e) and (m) of the *Beerwah local plan code*, and, the purpose and Overall Outcomes (a), (b) and (c) of the *Medium impact industry zone code*, because:
  - (a) The proposed development represents a major out-of-centre development that would undermine the Sunshine Coast Activity Centre Network and would fragment the Beerwah Major Regional Activity Centre. The proposed development would draw retailing activity away from and outside of the Beerwah Major Retail Activity Centre and would result in Beerwah having a fragmented, disconnected and unwalkable centre, to the detriment of its character, identity, functionality and viability.
  - (b) The proposal would result in a significant loss of industry zoned land, and this loss would severely compromise and frustrate the integrity and the potential of the Beerwah Sub-Regional Industry and Enterprise Area being realised.
2. The proposed development departs from the Purpose and Overall Outcome (b) for the *Flood hazard overlay code* because it has not demonstrated that floodplains and the flood conveyance capacity of waterways will be protected.
3. The proposed development departs from the Purpose and Overall Outcomes (a), (c) and (d) of the *Height of buildings and structures overlay code* because the proposed building height of the supermarket does not comply with the specified height limit, exceeds the additional height allowance for flood hazard, and therefore would not be consistent with the reasonable expectations of the community.
4. The proposed development departs from the Purpose and Overall outcomes (a) and (c) of the *Transport and parking code* because:
  - (a) The proposed external works and road reserve widening on Roys Road, including the proposal's primary access intersection to Roys Road, is insufficient and inappropriate and therefore does not:
    - (i) facilitate the orderly provision of transport infrastructure in accordance with the intended role, function and characteristics of the transport network;

- (ii) provide for the reserve width, pavement, and verge of a transport corridor to support the intended role, function and amenity of the transport corridor; and
    - (iii) provide for a verge width that permits access to be retained for vehicles onto a property at an existing driveway to another site.
  - (b) The internal layout proposed by the development does not provide for a transport network that achieves a high level of permeability and connectivity to the surrounding area, nor does it facilitate the orderly provision of transport infrastructure in accordance with the intended role, function and characteristics of the transport network.
5. The proposed development departs from the Purpose and Overall Outcomes (a) and (b) of the *Stormwater management code*, because it has not demonstrated that it would protect and enhance the environmental values and flow regimes of constructed and natural waterways and drainage systems, and, it has not demonstrated that it would provide effective stormwater drainage systems to protect people, property and the environment.
  6. The proposed development is premature and would have a significant impact on the planning and delivery of centres within the Beerwah Major Development Area.
  7. The proposed development departs from the Northern Sub-regional “Outcomes For Live – Our Great Places” within the *South East Queensland Regional Plan 2017* because it does not maintain or promote, and would adversely affect, Beerwah’s active and lively main street.
  8. The departures from the assessment benchmarks above are not capable of being addressed or mitigated by conditions of approval.
  9. The departures from the assessment benchmarks support refusal of the proposed development.
  10. Compliance with some assessment benchmarks and the submission of relevant matters advanced by the applicant are not, on balance, material, and should be given little weight and do not otherwise sufficiently support approval of the proposed development.
  11. Refusal of the proposed development advances the purpose of the *Planning Act 2016* because the development would not facilitate the achievement of ecological sustainability in that it fails to maintain the cultural, economic, physical and social wellbeing of people and communities.