

Agenda

Ordinary Meeting
Thursday, 30 January 2025

commencing at 9:00am

Sunshine Coast City Hall Chamber, 54 First Avenue, Maroochydore

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ORDINARY MEETING

NOTICE

17 January 2025

Dear Councillors, Group Executives and relevant staff,

In accordance with Section 254C(2) of the *Local Government Regulation 2012*, I wish to advise that an Ordinary Meeting has been convened for

30 January 2025

commencing at 9.00am.

A handwritten signature in black ink that reads "John Baker".

John Baker | Chief Executive Officer

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1 DECLARATION OF OPENING

On establishing there is a quorum, the Chair will declare the meeting open.

2 WELCOME AND OPENING**3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE****4 RECEIPT AND CONFIRMATION OF MINUTES**

That the Minutes of the Ordinary Meeting held on 12 December 2024 be received and confirmed.

5 MAYORAL MINUTE**6 INFORMING OF CONFLICTS OF INTEREST****6.1 PRESCRIBED CONFLICTS OF INTEREST**

Pursuant to section 150EL of the *Local Government Act 2009* (the Act), a Councillor who has a prescribed conflict of interest in an issue to be considered at a meeting of the local government must –

- (a) immediately inform the meeting of the prescribed conflict of interest including the particulars stated in section 150EL(4) of the Act and
- (b) pursuant to section 150EM(2) of the Act must leave the place at which the meeting is being held, including any area set aside for the public, and stay away from the place while the matter is being discussed and voted on.

6.2 DECLARABLE CONFLICTS OF INTEREST

Pursuant to section 150EQ of the *Local Government Act 2009*, a Councillor who has a declarable conflict of interest in a matter to be considered at a meeting of the local government, must stop participating in the meeting and immediately inform the meeting of the declarable conflict of interest including the particulars stated in section 150EQ(4) of the Act.

If the Councillor with a declarable conflict of interest does not voluntarily decide not to participate in the decision, pursuant to section 150ES(3)(a) of the Act the eligible Councillors must, by resolution, decide

- (a) whether the Councillor may participate in the decision despite the Councillors conflict of interest or
- (b) that the Councillor must not participate in the decision and must leave the place at which the meeting is being held, including any area set aside for the public and stay away while the eligible Councillors discuss and vote on the matter.

The Councillor with the declarable conflict of interest must comply with any conditions the eligible Councillors impose per section 150ES(4) and (5) of the Act.

7 PRESENTATIONS / COUNCILLOR REPORTS

8 REPORTS DIRECT TO COUNCIL**8.1 DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE TO ESTABLISH SHORT-TERM ACCOMMODATION - 862 & 894 LANDSBOROUGH-MALENY ROAD, BALD KNOB****File No:** MCU23/0125**Author:** Senior Development Planner
Customer & Planning Services Group

Attachments:

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Link to [Development.i MCU23/0125](#)**PURPOSE**

The purpose of this report is to seek Council's determination of a development application for a Development Permit for Material Change of Use of Premises to establish Short-Term Accommodation at 862 & 894 Landsborough-Maleny Road, Bald Knob.

The application is before Council at the request of the Divisional Councillor W Johnston.

EXECUTIVE SUMMARY

The application seeks a Development Permit for a Material Change of Use of Premises to establish Short-Term Accommodation located at 862 and 894 Landsborough-Maleny Road, Bald Knob.

The proposed development will comprise of 38 residential units, a manager's residence and a reception and dining area (for guests only), along with associated carparking and driveway access. The residential accommodation is comprised of 35 one-bedroom units and 3 two-bedroom units, and the manager's two-bedroom unit.

The proposal comprises of six separate buildings, with the main building fronting Landsborough-Maleny Road and the proposed buildings along the northern boundary of the site. All buildings are a maximum of two storeys and within the 8.5m height limit.

The site is not in a sewered area. Greywater, accounting for two thirds of the wastewater flow will be treated on-site and discharged via a dedicated land application area. The remaining blackwater will be pumped out from a storage tank for disposal at a municipal sewerage treatment facility.

The application 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 application despite the non-compliances described in this report.

A detailed assessment of the application has been undertaken and is included in the officer's Detailed Assessment Report at Attachment 1 to this report.

OFFICER RECOMMENDATION

That Council:

- (a) receive and note the report titled "Development Application - Material Change of use to Establish Short-Term Accommodation - 862 & 894 Landsborough-Maleny Road, Bald Knob" and
- (b) REFUSE Application MCU23/0125 for a Material Change of Use of Premises to Establish Short-Term Accommodation, situated at 862 & 894 Landsborough-Maleny Road, Bald Knob for the following reasons.
 - i. The proposal has not demonstrated achievement of strategic outcome 3.3.1 (d) of the Strategic Framework of the *Sunshine Coast Planning Scheme 2014*, because:
 - a) The subject site is located outside of the local growth management boundary and the proposed scale and intensity of the short-term accommodation use conflicts with the strategic outcomes relating to settlement patterns, as it does not contribute to a compact, efficient and functional urban form.
 - ii. The proposal has not demonstrated achievement of Strategic Outcomes 3.8.1 (c), 3.8.1 (d), 3.8.1 (f) of the Strategic Framework and the Specific Outcomes 3.3.1 (d), 3.4.6.1 (a), 3.8.2.1(a), 3.8.2.1(d) and 3.8.2.1(g) of the Strategic Framework of the *Sunshine Coast Planning Scheme 2014*, because:
 - a) The proposal will detract from the visual amenity of the Landsborough-Maleny Road scenic route and will be visually obtrusive relative to its non-urban setting and surroundings when viewed from the scenic route.
 - b) The proposal does not protect and enhance the Landsborough-Maleny Road scenic route as a major transport route providing a high level of scenic and visual amenity to travellers.
 - c) The development it is not limited in scale or intensity, nor has it been sensitively located to minimise adverse impacts on the steep slopes or scenic amenity.
 - iii. The proposal departs from the Purpose and Overall Outcome (a) and Performance Outcome PO1 of the Scenic amenity overlay code, the Purpose and Overall Outcomes (l) and (n) of the Rural zone code and Purpose and Performance Outcomes PO5 and PO7 of the Nature and rural based tourism code of the *Sunshine Coast Planning Scheme 2014*, because:
 - a) The proposal does not protect views from the Landsborough-Maleny Road scenic route to numerous significant landscape features such as Mt Coolum, Mt Ninderry, Mt Cooroy (among others) and the broader coastline which are important in a local context.
 - b) The proposal has not been designed to minimise community impacts.

- c) The proposal has not been integrated in a sustainable and attractive manner and therefore would unduly impact upon the amenity and landscape values of the area.
 - d) The built form of the proposal does not integrate with or complement the predominant rural character intended for the zone.
 - e) The bulk and scale of the built form and associated car parking area is urban in nature and is of an intensity and scale that is not expected in a rural precinct.
 - f) The proposed development does not contribute to the retention of the preferred built form character for the Sunshine Coast, which at this location, is for low scale, low-rise and small scale-built form in a rural area.
 - g) The proposal is not integrated with its natural and rural setting.
 - h) The short-term accommodation is of a scale and intensity which is urban in form and nature and has not demonstrated any emphasis on nature or hinterland/rural based tourism experience.
- iv. The proposal has not demonstrated achievement of the purpose and Performance Outcome PO4 of the Landslide hazard and steep land overlay code, because:
- a) The proposal requires extensive earthworks (cut and fill) and retaining walls which will have significant impacts on the natural landform to the detriment of the landscape character of the site and surrounding area.
- v. The proposal departs from the Purpose and Overall Outcome (s) of the *Rural zone code and the Purpose and Performance Outcome PO8 of the Works, services and infrastructure code*, because:
- a) It has not been demonstrated that the site can accommodate the necessary large scale on-site effluent treatment areas needed for such an intense urban use.
- vi. The proposed development cannot be conditioned to comply with the assessment benchmarks.
- vii. The application has not demonstrated that there is an overriding need in the community interest sufficient to justify approval of the proposal despite the conflicts with planning scheme.
- viii. There are no discretionary matters which warrant approval of the proposed development.

FINANCE AND RESOURCING

In the event of an approval, Infrastructure Charges in the order of \$247,172 for the Short-Term Accommodation use may be payable in accordance with Council's Infrastructure Charges Resolution.

CORPORATE PLAN

Corporate Plan Goal:	<i>Our service excellence</i>
Outcome:	We serve our community by providing this great service
Operational Activity:	S20 - Development services – planning, engineering, plumbing and landscaping approvals, provision of specialist advice to the community on planning requirements, audit of private development works, investigation of complaints from the public around land use or development, management of appeals.

CONSULTATION**Councillor Consultation**

The Divisional Councillor W Johnston was briefed on the application throughout the assessment of the application.

All Councillors have been provided a briefing on the application following public notification.

Internal Consultation

The application was referred to and/or discussed with the following internal Council specialists/Branches and their assessment forms part of this report:

- Principal Development Engineer, Specialist Services Team
- Senior Biodiversity Officer, Specialist Services Team
- Senior Landscape Officer, Specialist Services Team
- Environmental Management Officer, Specialist Services Team
- 3D Project Officer, Urban Design and Architecture Team
- Chief Economic Development Officer, Economic Development Branch
- Head of Investment Trade and International, Economic Development Branch
- Tourism Lead, Economic Development Branch.

External Consultation

The application was referred to the Department of State Development, Infrastructure and Planning (formerly known as Department of State Development, Manufacturing, Infrastructure and Planning) for concurrence agency assessment in relation to state transport infrastructure.

The department responded by letter dated 26 July 2023 imposing conditions that must be attached to any development approval (refer to Attachment 3).

Council engaged an external visual amenity expert to undertake a review of the applicant's visual impact assessment including the relevant provisions of the Planning Scheme. The findings of this visual amenity peer review are outlined in the officer's Detailed Assessment Report at Attachment 1 to this report.

Community Engagement

The application was publicly notified for 15 business days between 11 December 2023 and 18 January 2024 in accordance with the requirements of the *Planning Act 2016*. A total of seven submissions were received, of which two were determined to be 'properly made' in accordance with the *Planning Act 2016*.

Six of the seven submissions opposed the development with one submission being neutral.

A map identifying the location of where the submissions were received from is provided in Attachment 4.

A summary of the issues raised by submitters together with a response is provided in the officer's Detailed Assessment Report at Attachment 1 of this report.

PROPOSAL

The application seeks a Development Permit for a Material Change of Use to establish Short-Term Accommodation use.

The proposed development will comprise of 38 residential units, a manager's residence and a reception and dining area, along with associated carparking and driveway access. The residential accommodation is comprised of 35 one-bedroom units and three two-bedroom units, and the manager's two-bedroom unit. Each unit includes bedroom/s with an ensuite, kitchenette and balcony.

The proposal comprises of six separate buildings, with the main building fronting Landsborough-Maleny Road which includes Reception, Dining area (for guests only), Managers office and meeting rooms. Twenty units are proposed directly adjacent the reception building all with balconies facing towards the coastal view lines. An additional three buildings are proposed along the northern boundary of the site, which contain the remaining 18 units and manager's residence.

All buildings are a maximum of two storeys and within the 8.5m height limit.

Vehicular access to the site is proposed via a crossover on Landsborough Maleny Road, which includes a Basic Left Turn and Channelised Right Turn treatment. The proposal incorporates a total of 45 car parking spaces, including three persons with disability (PWD) bays. A service vehicle car park (MRV) is provided adjacent to the reception/dining building. The proposed development also includes three motorcycle parking spaces, ten bicycle parking spaces and 18 golf cart parking spaces.

The site is not in a sewered area. Greywater, accounting for two thirds of the wastewater flow will be treated on-site and discharged via a dedicated land application area. The remaining blackwater will be pumped out from a storage tank for disposal at a municipal sewerage treatment facility.

Proposal plans, elevations, sections and perspective drawings are included in Attachment 2 of this report.

A detailed assessment of the application has been undertaken and is included in the officer's Detailed Assessment Report at Attachment 1.

The proposed development is in clear and substantial conflict with the Planning Scheme, particularly in relation to the *Strategic Framework, Rural zone code, Scenic amenity overlay*

code, Landslide hazard and steep land overlay code and the Nature and rural based tourism code.

Upon detailed review of the application material and 3D modelling, it has been found that the proposal would have significant detrimental impacts on the views available across the site from Landsborough-Maleny Road, an identified Scenic Route, and will severely detract from the landscape values of the site and the visual amenity of a Scenic Route. The proposal is positioned in a highly prominent location and is of a bulk and scale which is more urban in nature which is incongruent with its rural setting. A package of 3D model viewpoints created by Council's 3D Modelling Officer is provided as Attachment 5 to this report.

Further, the site is highly constrained with very steep slopes which form part of the Blackall Range Escarpment, and the development has not been sensitively designed or sited to minimise impacts on the regionally significant landscape feature.

The mitigating features of the proposal have been considered, but these have been found to not be sufficient to overcome the significant visual amenity impacts the proposal would have. Additionally, the applicant's visual impact assessment has been peer reviewed by an external visual amenity expert. Both internal specialists and the external peer reviewer agree that the proposal would have significant detrimental visual impacts and conflicts with the Strategic Framework and Scenic Amenity Overlay Code in a number of ways.

On balance, it is considered that the application has not clearly demonstrated that there is a compelling economic need, planning need or overriding community interest to justify approval of the proposal despite the conflicts with various planning scheme outcomes relating to the protection of the scenic and visual amenity of scenic routes and development of steep land.

The non-compliances with the Planning Scheme cannot be overcome through reasonable and relevant conditions and there are no other relevant matters applicable to the application that justify approving the proposed development despite the non-compliances described in this report.

Due to the above-mentioned conflicts with the Planning Scheme, the application is recommended for refusal.

Legal

There are currently no legal implications relevant to this report, however Council's decision can be appealed to the Planning and Environment Court by the applicant and any properly made submitter. Council will proceed with any required actions resulting from any legal action.

Policy

The application has been assessed against the *Sunshine Coast Planning Scheme 2014* and regard has been given to all relevant Council policies.

It is noted that there has been a recent adoption by Council of a Strategic Policy for Accommodation Hotel Incentives in August 2024. This application was lodged in May 2023 and has been subject to ongoing discussions due to inconsistencies with the Planning Scheme. Upon review of the Strategic Policy, it is apparent that the proposal would not be eligible for this incentive program as it is located in a Rural Zone (hotels must be located in urban zones to be eligible in accordance with the Strategic Policy). Further, no information

has been provided in relation to whether the design/operation will be consistent with the nominated criteria outlined in the Strategic Policy (being at least a 4.0starhotel category or intended to be managed by an international or national hotel brand/operator). In addition, the governance and accountability considerations section of the Strategic Policy makes it clear that it does not *"alter the normal assessment rules applicable to development and does not remove or diminish the importance of achieving compliance with the planning scheme"*. It is understood that the applicant has not made any application for incentives under this Strategic Policy.

Risk

This matter can be appealed to the Planning and Environment Court by the applicant or properly made submitters. Council will proceed with any required actions resulting from any legal action.

Previous Council Resolution

At Ordinary Meeting 21 November 2024 (OM24/110) the following resolution was made:

That Council:

- (a) defer Item 8.7 Development Application – Material Change of Use to a Material Change of Use of Premises to Establish Short-Term Accommodation, situated at 862 & 894 Landsborough-Maleny Rd, Bald Knob*
- (b) request the Chief Executive Officer to prepare reasonable and relevant conditions to enable Council to consider approval of Application MCU23/0125 for a Material Change of Use to a Material Change of Use of Premises to Establish Short-Term Accommodation, situated at 862 & 894 Landsborough-Maleny Rd, Bald Knob, including but not limited to consideration of possible requirements including the conditions of the Department of Transport and Main Roads to ensure ongoing traffic safety, that the restaurant only to be used by occupants of the short-term accommodation use and Maleny Manor guests, that the development works to commence within 2 years and a sunset clause requiring the development use to commence no later than 31 December 2028 to address the urgent short-term accommodation need, that materials used must ensure the buildings blend into the environment and be reflective of the Blackall Range palette, and all other reasonable and relevant conditions and*
- (c) request the Chief Executive Officer to provide a further report to Council on Development Application – Material Change of Use to a Material Change of Use of Premises to Establish Short-Term Accommodation, situated at 862 & 894 Landsborough-Maleny Rd, Bald Knob for Council's consideration at the January 2025 Ordinary Meeting*

Related Documentation

A copy of the officer's full and detailed assessment report is included as Attachment 1 to this report. The detailed assessment reports contain all the specific assessment details under the Planning Scheme considered in Council's assessment of the applications.

A copy of the proposal plans, elevations, sections, and perspective drawings is included as Attachment 2 to this report.

A copy of the Department of State Development, Infrastructure, Local Government and Planning (SARA) Concurrence Agency response and conditions are included as Attachment 3 to this report.

A map identifying the location of where the submissions were received from is provided as Attachment 4 to this report.

A package of 3D model viewpoints is provided as Attachment 5 to this report.

Critical Dates

There are no critical dates relevant to this report. Council's decision for the application was due on 2 September 2024 in accordance with the provisions of the *Planning Act 2016*.



Implementation







Should the recommendation be accepted by Council, Council officers will communicate the outcome of Council's resolutions to the applicant and submitters as appropriate.

8.2 DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE FOR OUTDOOR SPORT AND RECREATION (AEROMODELLING CLUB) - 76-88 DYNES ROAD AND 801-845 YANDINA COOLUM ROAD, VALDORA

File No: MCU24/0113

Author: Principal Development Planner
Customer & Planning Services Group

Appendices: App A - Conditions for Approval 27  

Attachments: Att 1 - Detailed Assessment Report..... 39  
Att 2 - Proposal Plans..... 89  
Att 3 - Referral Agency Response 95  

PURPOSE

The purpose of this report is to seek Council’s determination for a Development Application for a Material Change of Use of Premises to Establish Outdoor Sport and Recreation (Aeromodelling Club) at 76-88 Dynes Road and 801-845 Yandina Coolum Road, Valdora.

The application is before Council due to the level of community interest on the application.

EXECUTIVE SUMMARY

The application seeks approval for a Development Permit for a Material Change of Use of Premises to Establish Outdoor Sport and Recreation comprising an Aeromodelling Club.

The development involves establishing an airfield and ancillary structures for the purpose of flying model aircraft on rural zoned land. The development footprint of the proposed airfield, parking areas, and buildings is estimated to be about 2 hectares. The full extent of the use area, including the flight zone buffer area is estimated to be about 14 hectares.

The Aeromodelling Club holds activities for up to 20 members, and 20 visitors on days suitable for flying remote-controlled model aircraft. The application sought approval for club members to operate up to 5 remote-controlled models at any one time.

The application is impact assessable and has been assessed against the whole of the *Sunshine Coast Planning Scheme 2014* under s45(5)(a) of the *Planning Act 2016*, including the strategic framework and codes that were considered relevant to the proposed development.

In the Rural Zone, Outdoor Sport and Recreation is listed as a potentially consistent use. Accordingly, particular consideration was given to the provisions of the *Rural zone code*. The assessment found that in the location proposed, the development would not result in any significant impacts or departure from the outcomes sought by the Planning Scheme, and that the nature, scale and intensity of the use could be conditioned to comply with the outcomes sought to be achieved by development in the Rural Zone. The assessment also considered other relevant matters that may warrant an approval or refusal of an application under s45(5)(b) of the *Planning Act 2016*, including planning need, locational requirements for the use, and site suitability.

A total of 262 submissions were received, of which 208 were determined to be 'properly made' in accordance with the *Planning Act 2016*. Of the total submissions made, 116 submissions identified their support for the proposal and 145 submissions identified their objection to the proposal. The relevant matters raised in these submissions were considered in the assessment of this application.

On balance, the assessment found that the potentially consistent use would not result in any significant impacts and would sufficiently comply or could be conditioned to comply with the outcomes sought by the assessment benchmarks.

On this basis, the officer recommendation is that the application is approved subject to the imposition of reasonable and relevant conditions identified in Appendix A to this report.

OFFICER RECOMMENDATION

That Council:

- (a) **receive and note the report titled "Development Application - Material Change of Use for Outdoor Sport and Recreation (Aeromodelling Club) - 76-88 Dynes Road and 801-845 Yandina Coolum Road, Valdora" and**
- (b) **APPROVE Application No. MCU24/0136 for a Development Permit for Material Change of Use of Premises to Establish Outdoor Sport and Recreation (Aeromodelling Club), subject to the imposition of reasonable and relevant conditions identified in Appendix A.**

FINANCE AND RESOURCING

In the event of an approval, Infrastructure Charges would be applicable to the proposed development in accordance with Council's *Infrastructure Charges Resolution (No. 9) 2022*, in the order of \$4,008.

While no application has been received, the applicant and intended use may qualify for a rebate under Council's *Infrastructure Charges Rebates for Eligible Community Organisations Policy 2024*. An application for a rebate will need to be made and approved for the development to benefit from this policy.

CORPORATE PLAN

Corporate Plan Goal:	<i>Our service excellence</i>
Outcome:	We serve our community by providing this great service
Operational Activity:	S20 - Development services – planning, engineering, plumbing and landscaping approvals, provision of specialist advice to the community on planning requirements, audit of private development works, investigation of complaints from the public around land use or development, management of appeals.

CONSULTATION

Councillor Consultation

The Divisional Councillor M Suarez has been briefed during the assessment of this application.

Internal Consultation

The application was referred to and/or discussed with the following internal Council specialists and their assessment forms part of this report:

- Principal Development Engineer, Development Services Branch, Customer and Planning Services Group
- Principal Development Engineer - Hydraulics, Development Services Branch, Customer and Planning Services Group
- Senior Environmental Management Officer, Development Services Branch, Customer and Planning Services Group
- Principal Biodiversity Officer, Development Services Branch, Customer and Planning Services Group
- Landscape Officer, Development Services Branch, Customer and Planning Services Group

External ConsultationDepartment of State Development, Infrastructure and Planning (SARA)

The application was referred to the Department of State Development, Infrastructure and Planning for concurrence agency assessment in relation to State transport corridors and future State transport corridors. The department originally responded by letter dated 28 June 2024 including a condition that direct access is not permitted between Yandina-Coolum Road and the subject site.

The application proposed all weather access from Dynes Road. On 12 November 2024 the applicant changed the application to include the land at 76-88 Dynes Road, Valdora in the application for the purpose of access. Notice of the Changed Application was sent to the Department on 18 November 2024.

The department responded with a changed referral agency response by letter dated 20 November 2024 imposing a condition that direct access is not permitted between Yandina-Coolum Road and the subject site and must be attached to any development approval (refer to Attachment 3).

Sunshine Coast Airport

The application was referred by Council to Sunshine Coast Airport for comment about the proposed development.

An email was received dated 7 November 2024 stating that the Sunshine Coast Airport will be unable to provide a position of support or non-support for the development, until such time that the applicant submits an application to Air Services Australia (ASA) and Air Services Australia responds to the request.

The applicant has advised that they are not required to make the application to Air Services Australia and do not intend to do so.

Community Engagement

The application was publicly notified for 15 business days between 5 July 2024 and 29 July 2024 in accordance with the requirements of the *Planning Act 2016*.

A total of 262 submissions were received, of which 208 were determined to be 'properly made' in accordance with the *Planning Act 2016*. Of the total submissions made, 116 submissions identified their support for the proposal and 145 submissions identified their objection to the proposal.

A summary of the issues raised by submitters together with a response is provided in the officer's Detailed Assessment Report at Attachment 1 to this report.

The assessment of this application considered all relevant issues and matters raised in submissions. The issues raised in submissions objecting to the proposal included concerns about risks from accidents, impacts from fire, acoustic impacts, visual impacts, traffic and dust impacts, environmental impacts, operating hours, lack of overriding need, local community impacts, economic impacts, locational need, and impacts to existing nearby rural uses and businesses. The matters raised in submissions supporting the proposal included information about how the use provides a benefit to the community, how the perceived and actual risks and impacts would be managed through the location and operation of the use, and also included reference to the lack of impacts caused by other aeromodelling clubs with similar situational characteristics.

The matters raised in the submissions were considered in the assessment against the *Sunshine Coast Planning Scheme 2014* and there were no new matters raised in submissions that would warrant refusal of the application.

A key matter raised in the submissions and not otherwise addressed in the assessment relates to the potential risk of fire occurring as a result of model aircraft accidents. Whilst the development is not in a mapped Bushfire Prone Area, it is acknowledged that remote-controlled model aircraft can cause fires, and that this risk needs to be appropriately managed to mitigate potential impacts to farming on the site and the safety of people and property in the surrounding areas. The applicant submitted a Fire Management Plan to identify how the club manages risk and could respond in the event of a fire occurring.

Council officers are satisfied that the risk of fire would be limited to the area that the remote-controlled model aircraft would be permitted to be operated within and there is an extremely low risk of aircraft flying or crashing outside the fly zone and buffer area. Council officers are also satisfied that conditions can be applied in the event of an approval being issued, and that the use would be operated to ensure that the risk of fire is appropriately mitigated.

PROPOSAL

The application seeks a Development Permit for a Material Change of Use of Premises to Establish Outdoor Sport and Recreation in the form of an Aeromodelling Club. The purpose of the use is to provide a suitable location for people to pilot remote-controlled model aircraft in a safe and controlled environment.

The Aeromodelling Club is proposed to be established in an existing cane field on a site fronting Yandina Coolum Road located immediately north of the Sunshine Coast Solar Farm.

Plans of the proposed development are included at Attachment 2 to this report.

The use would involve construction of the following facilities:

- An all-weather driveway access from Dynes Road and car parking area with 10 spaces.

- A 30m x 4m shade cloth shelter with a height of 3m to be constructed over the 'pit' (the area pilots work on and prepare their aircraft for flying).
- A 12m x 3m transportable amenities building with a height of 4m & a 20,000L water tank to capture and provide rainwater for the facilities.
- Two (2) grass runways.

The applicant advises that a maximum of 20 club members and 20 visitors (total 40 people) could reasonably be expected to visit the facility on days suitable for flying remote-controlled model aircraft.

The application seeks approval for club members to operate up to 5 remote-controlled model at any one time.

The applicant advises that because the operation of remote-controlled model aircraft is weather dependant, flexible operating hours area required. The application seeks approval to operate 7 days per week, between 7am and 4pm.

A detailed assessment of the application has been undertaken and is included in the officer's Detailed Assessment Report at Attachment 1 to this report.

Assessment Benchmarks Related to the Planning Regulations 2017 and State Planning Policy

The SEQ Regional Plan does not include any assessment benchmarks relevant to the proposed development. However, it is noted that a lease term, including renewal options exceeding 10 years, is considered to represent a subdivision, which is prohibited development in the Regional Landscape and Rural Production Area under the *Planning Regulation 2017*.

The State Planning Policy (SPP) mapping for strategic airports and aviation facilities is more current than the *Sunshine Coast Planning Scheme 2014* overlay mapping for Airport Environs as the State mapping incorporates information relevant to the current runway arrangement of the Sunshine Coast Airport. For this reason, matters relating to protecting the safety and integrity of the airport have been assessed against the State Planning Policy requirements.

Strategic Airports and Aviation Facilities

The development involves an activity within proximity to the Sunshine Coast Airport.

The minimum obstacle limitation surface within the flight zone buffer area is 130m above ground level. The applicant has identified that the activity would not result in any intrusion into the operational airspace as the flight zone including a 20m height buffer would equate to a maximum flight height of 120m, which is below the obstacle limitation surface level within the buffer area.

Furthermore, the applicant has provided a copy of email advice received from the president of the Model Aeronautical Association of Queensland (MAAQ) which confirms that the site meets all requirements outlined by CASA to operate RC planes.

Council officers are therefore satisfied that the development meets the State Planning Policy as it would not involve an intrusion into the operational airspace of the Sunshine Coast Airport.

Assessment Benchmarks Related to the Sunshine Coast Planning Scheme 2014Strategic Framework

The site is located in the Rural Enterprise and Landscape Area and a High Value Scenic Area characterised by open rural farmland, surrounded by mountain ranges and/or natural vegetated areas.

The proposed outdoor recreational use is considered to achieve the outcomes sought by the Strategic Framework in the Planning Scheme for the following reasons:

- The use has a limited development footprint and operation of the use can be managed to maintain the rural enterprise, agricultural production, and environmental values of the site and surrounding areas.
- The use has a direct link to the aviation and aerospace industry which is a key part of the local economy and the community identity of the Sunshine Coast.
- The use is a competitive recreational activity which could attract visitors and spectators to the area if events were to be held.
- The scale of use could be limited to minimise possible noise, traffic, dust and visual impacts, and reasonable and relevant conditions could be applied if the development were to be approved.
- The use would have minimal impact on existing infrastructure and the transport network is adequate for the amount of traffic likely to be generated by the use.
- The establishment of a grass runway and small-scale buildings on the site would have a limited impact on the scenic and landscape values of the area, noting the Sunshine Coast Solar Farm is located in close proximity to the site and has a more dominant visual impact on the landscape.
- The use is an inclusive, non-discriminatory recreational activity which allows people with diverse skills and backgrounds to share a common interest in aviation, remote control hobbies, and aerospace technology, and be part of an active and engaged community group.
- The use allows members of the public to develop special skills and knowledge that can assist them to improve their employability and career opportunities.
- The use is a difficult to locate activity which is best suited to a location that is highly accessible but also benefits from a high level of separation from built-up areas, which can only be found in rural areas.

The development is therefore considered to generally achieve and not compromise the outcomes sought by the Strategic Framework for development in the Rural Enterprise and Landscape Area and in a High Value Scenic Area.

Planning Scheme Codes

The site is affected by a number of constraining overlays identified in the Planning Scheme, relating to Acid Sulfate Soils, Airport Environs (OLS), Building Height, Flood Hazard, and Regional Infrastructure (Major Road Corridor). The site is also identified as being adjacent to a Scenic Route and having scenic values.

As the development involves minimal site works, Council officers are satisfied that conditions can be applied to ensure risks associated with the potential release of contamination from disturbing acid sulfate soils are appropriately mitigated.

As previously discussed, Council officers are also satisfied that the use would be operated to avoid intrusion into operational airspace and would therefore avoid any impact on the operation of the Sunshine Coast Airport.

The development proposes buildings and structures that would not exceed the nominated building height and are considered to be relatively low key and small-scale in the rural context. Whilst the buildings are not proposed to be provided with floor levels that would achieve flood immunity, they can be designed to be flood resilient and are able to be easily removed if the site became permanently inundated.

The land is located within the western periphery of the Blue Heart and subject to regular flooding and storm tide inundation. Due to the low levels of the land and likelihood of permanent tidal inundation from sea level rise, it is possible that the use would not be able to operate in the medium term. To ensure the development does not compromise the natural tidal progression and accords with the *Coastal Hazard Adaption Strategy*, which has not yet been incorporated into the Planning Scheme and does not yet have a current transition plan applicable to the site, it is considered appropriate to include a condition requiring the use to be for a temporary period of 10 years. This is considered to be an appropriate period to allow the use to continue to operate locally, and also allow for further assessment to determine if it is appropriate to extend the operating period once the *Coastal Hazard Adaption Strategy* has been implemented.

The potential impacts to safety and efficiency of Yandina Coolum Road have been assessed by the State and Council officers are satisfied that the use would not generate any impacts to the function of the major road corridor or cause an unreasonable level of risk to road users.

Whilst the proposed buildings and structures may be visible from Yandina Coolum Road and the footprint of the development is likely to be visible from Mt Ninderry lookout, the operation of remote-controlled model aircraft is unlikely to cause any obtrusive visual impacts that would diminish the scenic values of the site and surrounding area.

The proposed height of the buildings would not impede views to the significant landscape features in the distance, and the proposed setback and low height of the buildings would assist to further reduce visual impacts to the scenic route. Furthermore, the scale and bulk of buildings associated with the development would result in a far less visual impact than other buildings and structures existing in the nearby area and would be relatively unobtrusive in the landscape.

Due to the small scale of the buildings proposed, and the distance of the site from the lookout at Mt Ninderry, the built aspects of the development would not stand out in the landscape, which includes an expansive view over the areas of Maroochy River, Valdora and Yandina Creek, and beyond to Mt Coolum, Mt Peregian, the ocean, the airport, and Mudjimba Island. Also, the grassed runways as viewed from the lookout, would not be entirely out of character with the range of geometric patterns found in the broader rural and farming landscape which includes a mix of coloured and shaped environs.

The site is included in a Rural Zone and contains good quality agricultural land. However, the detailed assessment has determined that the use would be able to generally achieve the outcomes sought for development in a rural area as the location largely avoids impacts to

any values on the site, would maintain the amenity of surrounding sensitive uses, and would not adversely impact the character of the area. The footprint of the development is located to minimise impact to agricultural production on the site, whilst also achieving an adequate level of separation from site boundaries to minimise amenity impacts on adjoining premises and visual impacts from Yandina Coolum Road.

Issues relating to the nature, scale and intensity of the use and the potential impacts of the operation were primarily about the impact of events, and managing acoustic and traffic impacts, as also identified in many submissions objecting to the proposal.

Whilst the application does not seek permission for events to be held, it is noted that the Suncoast Model Flyers Club has held events on the previous site in Coolum. It is therefore considered appropriate for conditions to be applied if an approval were issued, to restrict the number and scale of events that could be held and require that a temporary event permit is sought from Council.

Other conditions limiting the nature, scale and intensity of the use are also considered relevant to ensure that the use operates in a manner that would not compromise the amenity and character of the surrounding rural area.

In relation to the assessment of noise impacts, a Noise Impact Assessment prepared by JT Environmental Engineering Consultants confirmed that the use would easily achieve the noise criteria required to protect the health and wellbeing of the receiving environment. The submitted noise model predicted worst case noise levels at sensitive receivers based on measured noise levels from the actual model aircraft proposed to be used at the site. The model investigated various scenarios based on 6 model aircraft flying simultaneously noting that the application material proposes that only 5 aircraft are permitted to fly at any time. In the event that the application is approved, conditions could be applied to require the use to operate in accordance with the recommendations of the Noise Impact Assessment, and to require compliance monitoring to be undertaken once the use is operational.

Furthermore, to ensure that the rural amenity of the area is maintained on Sundays and public holidays, operating hours can be limited to weekdays, Saturdays and part day on Sunday. Council officers are therefore satisfied that the use would not result in unacceptable acoustic impacts to nearby uses and would not adversely impact the amenity and character of the area.

In relation to the assessment of traffic impacts and on-site parking, Council was required to adopt a conservative approach as no information was submitted to clearly determine the likely number of vehicle trips and potential impacts to the traffic network. It was found that if the proposed use was appropriately limited to ensure no more than 20 club members and a total of 40 people attended the site on any particular day, the traffic likely to be generated by the use over a year would be equivalent to or less than the amount of vehicle movements associated with a dwelling and secondary dwelling being established on each land parcel.

The low level of traffic was therefore determined to be compatible with the type of development expected to occur within a rural area and unlikely to result in any significant impacts to the safety and function of the road, and that amenity impacts from dust and noise would be relatively limited to a few dwellings on Dynes Road. It was further determined that whilst some residents fronting Dynes Road would be impacted by dust and noise from vehicles generated by the proposed use, it would be inappropriate and unreasonable to require road sealing works to be undertaken to completely avoid dust impacts.

In relation to the provision of parking spaces, it was determined that there was sufficient space within the site for the required number of spaces to be provided, and that there would also be sufficient space for overflow parking to be provided if any events were to be held.

The development can also achieve or be conditioned to meet the requirements of the prescribed other development codes in relation to landscape outcomes, safety and security, stormwater management, waste management and development works.

Other Relevant Matters

The applicant has indicated that there is a planning need for the development, that the use has specific locational requirements and that the site is particularly well suited to accommodate the proposed development.

The facility proposed to be established that would enable the Suncoast Model Flying Club to continue operating locally, and the applicant has advised that it is not intended to be a regional scale facility as identified in the *Regional Facilities Plan for Difficult to Locate Sports*.

The Suncoast Model Flying Club was previously operating from a site within the north-western portion of the Coolum Industrial Estate, on land owned by the State. However, the Club has been required to relocate due to the Queensland Government plans to expand the industrial estate and develop the remaining land in the High Impact Industry Zone into industrial lots.

The applicant has also advised that many existing clubs within the region are at capacity and the continuation of the Suncoast Model Flyers Club would meet a need which is not able to be accommodated by any of the existing local clubs.

The site has been selected by the Suncoast Model Flyers Club as it has all the key locational requirements, including the size, air space, separation from sensitive uses, accessibility, orientation, and prevailing weather conditions to accommodate the type of aeromodelling activities that Club members currently partake in.

Conclusion of Planning Assessment

The proposed development sufficiently complies with the requirements of the *Sunshine Coast Planning Scheme 2014* and does not raise any significant issues that cannot be addressed by conditions. The application is therefore recommended for approval subject to reasonable and relevant conditions.

Legal

In relation to this development application, there are currently no legal implications relevant to this report but note that Council's decision on the application can be appealed to the Planning and Environment Court by the applicant and any submitter who made a properly made submission. Council will proceed with any required actions resulting from any legal action.

Policy

The application has been assessed against the *Sunshine Coast Planning Scheme 2014* and regard has been given to all relevant Council policies.

Risk

These matters can be appealed to the Planning and Environment Court by the applicant and any submitter who made a properly made submission. Council will proceed with any required actions resulting from any legal action.

Previous Council Resolution

There is no previous Council resolution relevant to this report.

Related Documentation

A copy of the officer's full and detailed assessment report is included as Attachment 1 to this report.

A copy of the proposed plans of the development are provided as Attachment 2 to this report.

A copy of the concurrence agency response is provided as Attachment 3 of this report.

Critical Dates

There are no critical dates relevant to this report. Council's decision for the application has a due date of 9 January 2025 in accordance with the provisions of the *Planning Act 2016*.

The due date for the decision may be extended by agreement with the applicant. However, where a decision for an impact assessable development application has not been made by the due date, the applicant may elect to lodge an appeal to the Court to take a 'deemed refusal' of the application.

Implementation

Should the recommendation be accepted by Council, it is noted that Council officers will communicate the outcome of Council's resolutions to the applicant and submitters who made a properly made submission as appropriate.

APPLICATION DETAILS

Application No: MCU24/0113
 Street Address: 801-845 Yandina Coolum Rd VALDORA QLD 4561
 Real Property Description: Lot 2 SP 277877
 Planning Scheme: Sunshine Coast Planning Scheme 2014 (23 Jan 2024)

APPROVAL DETAILS

Nature of Approval: Approval with conditions
 Type of Approval: Development Permit for Material Change of Use of Premises to Establish Outdoor Sport & Recreation (Aeromodelling Club)

CURRENCY PERIOD OF APPROVAL

Unless lawfully extended, the currency period for this development approval is six years starting the day that this development approval first took effect (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*).

INFRASTRUCTURE

Unless otherwise specified, all assessment manager conditions of this development approval relating to the provision of infrastructure are non-trunk infrastructure conditions for Chapter 4 of the *Planning Act 2016*.

ASSESSMENT MANAGER CONDITIONS

PLANNING

When Conditions Must Be Complied With

1. Unless otherwise stated, all conditions of this development approval must be complied with prior to the use commencing, and then compliance maintained at all times while the use continues.

Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed within this development approval.

Nature and Extent of Approved Use

3. The use of the site for Outdoor Sport and Recreation is limited to the operation of an Aeromodelling Club by an entity registered with the Model Aeronautical Association of Australia.
4. A maximum of 40 people, including a maximum of 20 pilots, are permitted to attend the site on any particular day, except as otherwise approved in writing by Council. A record of attendance must be maintained by the operating entity and made available for inspection at any time upon request by Council.
5. The site access is required to be secured with rural type timber post and plain wire strand fencing, and a lockable gate to restrict access by unauthorised persons. Any security measures must be designed and located to permit continued use of the site for rural activities.
6. All model aircraft must only be operated within the designated flying area, overfly buffer area, runway, and setup-maintenance area (shade cloth shelter) indicated on the Approved Plans.
7. A maximum of 5 remote-controlled model aircraft are permitted to be operated on the site and/or airborne at any time.
8. The approved use must not operate:
 - (a) Outside the hours of 7am to 4pm on a weekdays or Saturday; or,
 - (b) Outside the hours of 12pm to 4pm on a Sunday; or,
 - (c) At any time on a public holiday.
9. Formed runways must be limited to the locations shown on the Approved Plans, including a maximum 200m long east-west turfed runway (excluding batters) and a maximum 175m long north-south turfed runway (excluding batters).
10. A maximum of one (1) public event is permitted to occur on the site per annum, subject to the issue of a temporary event permit (or equivalent) from Council. The temporary event must occur within the approved operating hours and be no longer than 3 days in total.

Commencement of Use

11. The following must be provided to Council prior to the commencement of the use:
 - (a) Confirmation that the conditions of all related operational works approvals have been met;
 - (b) Advice of the commencement date for the use of the premises; and,
 - (c) Evidence that the lease agreement with the landowner is for a period that does not exceed 10 years.

Building Height

- 12. The maximum height of buildings and structures must not exceed 8.5m above natural ground level at any point.

Street Identification

- 13. The street address of the development must be clearly discernible at the site access by the provision of a street number and the name of the operating entity.

Fire Management

- 14. Operation on declared High, Extreme or Catastrophic Australian Fire Danger Rating days and/or Total Fire Ban days is prohibited. No persons are permitted to be on the site on these days, unless required to respond to an emergency.
- 15. A trailer mounted fire-fighting appliance with a minimum capacity of 1,000L hitched to a registered and operable four-wheel drive vehicle must be available on site at all times when the use operates.
- 16. The rainwater tank on site must be fitted with a 50mm diameter water supply outlet pipe and a 50mm male camlock (standard rural fire brigade fitting).
- 17. The pumps that pressurise water output from the tank must be able to be operated without reticulated power.
- 18. The facility must be operated in accordance with the fire management conditions and the Fire Response and Management Plan listed in this development approval at all times.

Site Amenities

- 19. Working toilet facilities must be provided, available for use, and maintained at all times when the use is operating.

Cessation of Use

- 20. The use must cease 10 years after the date of commencement of the use, or if any part of the runway surface becomes subject to tidal inundation (is below the highest astronomical tide), whichever occurs first.
- 21. Upon cessation of the use of the site, all buildings, structures, and infrastructure provided for the use must be removed from the site immediately, and natural ground levels must be reinstated to the greatest extent possible in accordance with an operational works approval.

ENGINEERING

Property Access and Driveways

- 22. An all-weather access driveway must be provided from Dynes Road to all parking and manoeuvring areas of the development. The works must be undertaken in accordance with an operational works approval and must include in particular:
 - (a) A driveway crossover generally in accordance with RS-056, with a minimum width of 5 metres from the edge of the road pavement to the property boundary.
 - (b) Internal access routes in the locations shown on the Approved Plans.
 - (c) Drainage line crossings designed to maintain existing flow paths.

On-site Parking

- 23. An all-weather hardstand area must be provided to accommodate a minimum of 17 car parking spaces, and available at all times when the use is operating. The works must be undertaken in accordance with an operational works approval and must include in particular:
 - (a) Dimensions, crossfalls and gradients in accordance with *AS2890 - Parking facilities*.
- 24. All on-site parking areas and access driveways must be maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times.

Earthworks

- 25. Filling and excavation works must be limited to the locations shown on the Approved Plans and undertaken in accordance with an operational works approval.

Stormwater Drainage

- 26. All works associated with the use must be designed to provide drainage to existing flow paths.
- 27. Stormwater runoff from the development must be disposed of on-site without causing scour or damage to the subject site or any adjoining property.

Flood Management

- 28. All works must be undertaken without resulting in any loss of active floodplain storage capacity. In conjunction with any development application for operational works associated with this development a detailed earthworks plans must be provided demonstrating:

- (a) No loss of active floodplain storage capacity;
 - (b) No fill above 1.5m AHD; and,
 - (c) Maximum volume of imported material for all works limited to 150m³.
29. The Flood Emergency Management Plan listed in this development approval must be amended to incorporate the amendments listed within this development approval and approved by Council prior commencement of use and prior to the issuing of any development permit for operational works application associated with this development.
30. The site must be operated in accordance with the Flood Emergency Management Plan (as amended) listed in this development approval. The site and the Flood Emergency Management Plan (as amended) must be registered with the Local Disaster Management Coordination Centre.

Acid Sulfate Soils

31. An Acid Sulfate Soils Investigation must be undertaken in accordance with Council's *Planning scheme policy for the acid sulfate soils overlay code* and submitted to Council as part of the first application for operational work. Where the investigation identifies acid sulfate soils that require management, all works must be carried out in accordance with an Acid Sulfate Soil and Groundwater Management Plan (or part thereof) prepared by a qualified person and endorsed through an operational works approval.
32. All waters, including stormwater runoff, groundwater seepage and leachate from acid sulfate soils must achieve the following quality prior to release from the site:
- (a) a pH range of 6.5-8.5 pH units.
 - (b) 50mg/L maximum total suspended solids concentration.
 - (c) 0.3mg/L maximum total iron concentration.
 - (d) 0.2mg/L maximum total aluminium concentration.
 - (e) No visible plume at either the point of release from the site or within a waterway.

LANDSCAPING

Landscaping Works

33. The development site must be landscaped. The works must be undertaken in accordance with an operational works approval and must include in particular:
- (a) The works shown on the Approved Plans.
 - (b) Vegetated screening of the amenities building, carparking areas, bin storage areas and the like, to reduce visibility from any road frontage.
 - (c) Shade trees selected in accordance with the conditions of this approval provided in car parking areas at a ratio of 1 tree for every 4 car parking spaces.

- (d) Plantings provided in deep natural ground where growing media has sufficient volume to facilitate vigour and sustainability and will allow for the species to achieve mature form.
- 34. Shade trees for car parking areas are to be selected from species suitable to the location, soil characteristics, and drainage conditions, and create a dense, wide spreading foliage canopy.
- 35. All landscape works must be established and maintained in accordance with the approved design for the life of the development, and in a manner that ensures healthy, sustained, and vigorous plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.

ENVIRONMENTAL HEALTH

Waste Management

- 36. Refuse storage, removal and collection facilities must be provided in accordance with the Approved Plans and the following:
 - (a) Provision of wheelie bins for general waste and recyclable waste.
 - (b) Provision of a purpose-built enclosure to the bin storage area.

Acoustic Amenity

- 37. The use must be carried out in accordance with the recommendations of the Noise Impact Assessment listed within this development approval.
- 38. Compliance monitoring must be undertaken as recommended by the Noise Impact Assessment listed within this development approval. The compliance monitoring must occur within 1 month of commencement of the use, and at 6-month intervals, until otherwise agreed in writing by Council. Certification for the compliance monitoring must be submitted to Council from a qualified person* to confirm and validate the resultant noise levels are in accordance with the predictions of the Noise Impact Assessment listed within this development approval.
**(Refer to Advisory Note)*
- 39. Model aircraft operated at the site must not exceed the noise levels specified within Section 7.2 'raw noise data' of the Noise Impact Assessment when measured at 3m from the source.
- 40. The approved use must not involve live and/or amplified entertainment or voice at any time. Background pre-recorded music (e.g. music played through a domestic stereo) that does not emit audible noise beyond the boundary of the premises at any time is permitted.

41. The use must be carried out in accordance with the Suncoast Model Flyers Complaint Handling Policy listed within this development approval. A record of all complaints and investigation results including corrective actions must be maintained by the operating entity and made available for inspection at any time upon request by Council.
42. Where complaints (other than frivolous or vexatious complaints) are made to Council about noise from the approved use, Council may require the site management entity to:
- (a) Submit a Noise Impact Assessment prepared by a qualified person* in accordance with Council's *Planning scheme policy for the nuisance code*; and/or,
 - (b) Undertake further noise amelioration measures or operations, and equipment and have such measures certified by a qualified person*.
- *(Refer to Advisory Note)*

Lighting Devices

43. Outdoor lighting associated with the use must be limited to that required to identify building entrances. Outdoor lighting must be designed, sited, installed and tested to comply with Table 3.2 & 3.3 of AS4282 - *Control of the obtrusive effects of outdoor lighting*.

Potable Water

44. The development must be provided with a safe and adequate potable water supply system having a capacity sufficient for the use*.
- *(Refer to Advisory Note)*

Effluent Disposal

45. The development must be provided with an on-site wastewater treatment and effluent disposal system having a capacity sufficient for the use*.
- *(Refer to Advisory Note)*
46. The operating entity for the use is responsible for ensuring that any holding tank/s are pumped out as required by an approved licenced waste collector to ensure working toilet facilities are available at all times when the use is operating.

Spill Containment

47. Materials and equipment must be available on site to adequately contain and clean up spills of potentially polluting materials. An inventory of all clean up and containment materials and equipment, and documented emergency response and clean up procedures, must be kept on site.

REFERRAL AGENCIES

The referral agencies applicable to this application are:

Referral Status	Referral Agency and Address	Referral Trigger	Response
Concurrence	SARA at DSDILGP South East Qld (North) Regional Office PO Box 1129 Maroochydore Qld 4558 EMAIL: seqnorthsara@dsdilgp.qld.gov.au	Material change of use near a State transport corridor	The agency provided its response on 20 November 2024 (Reference No. 2405-40552 SRA).

DEVELOPMENT PLANS

The following development plans are Approved Plans for the development:

Approved Plans

Plan No.	Rev.	Plan Name	Date
SMFC-002	A	<i>Layout Plan</i> , prepared by applicant	7-04-2024
SMFC-003	A	<i>Proximity Plan</i> , prepared by applicant	7-04-2024
SMFC-004	A	<i>Earthworks Layout Plan</i> , prepared by applicant	7-04-2024

REFERENCED DOCUMENTS

The following documents are referenced in the assessment manager conditions:

Referenced Documents

Document No.	Rev.	Document Name	Date
JT2276	F	<i>Model Aircraft Use – Noise Impact Assessment</i> , prepared by JT Environmental Engineering Consultants	17/06/2024
	1.0	<i>Suncoast Model Flyers Complaint Handling Policy</i> , prepared by Suncoast Model Flyers	10/06/2024

The following referenced documents require amendment:

Referenced Documents Requiring Amendment

Document No.	Rev.	Document Name	Date
M23-0330	A	Flood Emergency Management Plan, prepared by Covey Associates Pty Ltd	June 2024
Amendments		<ul style="list-style-type: none"> • The Phase 2 triggers must be amended as follows: <ul style="list-style-type: none"> a) Insert trigger based on minor, moderate or major flood warning b) Insert trigger based on severe thunderstorm warning c) Insert trigger based on water level at Yandina Ck AL d) Insert trigger based on water level at Dunethin Rock AL • The Phase 2 Property manager’s responsibilities must be amended as follows: <ul style="list-style-type: none"> a) Monitoring of all triggers b) Reconsider requirement to not attempt to traverse flooded roads for any reason, to allow for site evacuation. 	

ADVISORY NOTES

The following notes are included for guidance and information purposes only and do not form part of the assessment manager conditions:

Aboriginal Cultural Heritage Act 2003

- There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003*. The ACH Act establishes a cultural heritage duty of care which provides that:

“A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.” It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the Act can also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Cultural Heritage Unit on 07 3247 6212 to discuss any obligations under the ACH Act.

Resubmission of Amended Documents Required

2. The conditions of this development approval require resubmission of the referenced plans to Council with amendments. Please address the amended plans to Council’s Planning Assessment Unit with the reference no. MCU24/0113, separate to any operational works application. To avoid delays and assessment issues with the operational works application, it is recommended the plans be resubmitted prior to lodgement of any operational works application. Should the amended plans not be submitted, the applicant is advised that a Preliminary Approval may be issued in lieu of a development permit for the operational works.

Qualified Person

3. For the purpose of making any changes to the Flood Emergency Management Plan for the development, a qualified person is considered to be a Registered Professional Engineer of Queensland (RPEQ) experienced in hydraulics and hydrology.
4. For the purpose of preparing a landscape plan, a qualified person is considered to be a landscape architect, landscape designer and/or horticulturist with a minimum of three (3) years current experience in the field of landscape design.
5. For the purpose of preparing a noise impact assessment or certifying acoustic matters or treatments for the development, a qualified person is considered to be either:
 - (a) a Registered Professional Engineer of Queensland (RPEQ); and,
 - (b) an environmental consultant with a minimum of three (3) years current experience in the field of acoustics.

Pre-Design Meeting Services

6. Council offers a pre-design meeting service specifically for operational works applications. Applicants are encouraged to utilise this service prior to the submission of their operational works application to ensure that their application is not held up by avoidable design issues. It is anticipated that the pre-design meeting will ultimately assist in fast tracking the assessment of an operational works application once it is lodged with Council as a result of design and application issues being resolved or substantially resolved prior to the application being submitted. For more information on this service or to book a pre-design meeting please visit Council’s website or contact (07) 5475 PLAN.

Co-ordination of Operational Works

- 7. Additional application fees apply to operational work applications where the different aspects of the works are lodged separately. Significant savings in application fees will result if all works are lodged in a single application.

Potable Water

- 8. The use has been approved in an area that is not currently connected to the municipal water supply. In accordance with the *Public Health Act 2005*, the development must be provided with a safe, adequate, and potable water supply. Tank water must be treated to a potable standard and fitted with an appropriate sanitation system such that water is safe to drink. It is recommended that prior to commencement of use, testing certification be undertaken in order to ensure water is safe for consumption.

On Site-Effluent Treatment and Disposal

- 9. The establishment of a wastewater treatment and disposal system for the site requires a compliance permit to be obtained from Council under the *Plumbing and Drainage Act 2018*. The system must be designed in accordance with the *Queensland Plumbing and Wastewater Code* (Department of State Development and Infrastructure & Planning, 2007) and *AS1547 - On-site Domestic Wastewater Management*.

Environmental Harm

- 10. *The Environmental Protection Act 1994* requires that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Contact council or the Department of Environment & Heritage Protection for further information with respect to *Environmental Protection Act 1994* requirements.

PROPERTY NOTES

Not applicable.

VARIATION APPROVAL

Not applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Operational Work - Engineering Work (Earthworks, Driveway and Parking) and Landscape Work
- Development Permit for Building Work (Building Certification)

SUBMISSIONS

There were 208 properly made submissions about the application. In accordance with the *Planning Act 2016*, the name, residential or business address, and electronic address of the principal submitter for each properly made submission is provided and attached.

INCONSISTENCY WITH EARLIER APPROVAL

Not applicable.

ENVIRONMENTAL AUTHORITY

Not applicable.

RIGHTS OF APPEAL

You are entitled to appeal against this decision. A copy of the relevant appeal provisions from the *Planning Act 2016* is attached.

OTHER DETAILS

If you wish to obtain more information about Council's decision, please refer to the approval package for the application on Council's Development.i webpage at www.sunshinecoast.qld.gov.au, using the application number referenced herein.



DETAILED ASSESSMENT REPORT

MATERIAL CHANGE OF USE TO ESTABLISH OUTDOOR SPORT AND RECREATION (AEROMODELLING CLUB) MCU24/0113

[Link to Development.i - MCU24/0113](#)

APPLICATION SUMMARY	
Division:	9
Applicant:	Suncoast Model Flyers Incorporated
Consultant:	Plan2Project Pty Ltd
Owner:	Yandina Coolum Road Pty Ltd
Proposal:	Development Permit for Material Change of Use of Premises to Establish Outdoor Sport & Recreation (Aeromodelling Club)
Properly Made Date:	20 May 2024
Street Address:	76-88 Dynes Rd & 801-845 Yandina Coolum Rd VALDORA QLD 4561
RP Description:	Lots 1 & 2 SP 277877
Assessment Type:	Impact
Number of Submissions:	262 submissions, including 208 properly made submissions and 54 not properly made submissions
State Referral Agencies:	<u>Concurrence</u> <ul style="list-style-type: none"> SARA at DSDIP - State-controlled road matters
Referred Internal Specialists:	<ul style="list-style-type: none"> Development Services <ul style="list-style-type: none"> Principal Development Engineer Principal Development Engineer - Hydraulics Senior Environmental Management Officer Principal Biodiversity Officer Landscape Officer
STATUTORY DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme 2014 (23 Jan 2024)
SEQRP Designation:	Regional Landscape and Rural Production Area
Strategic Framework Land Use Category:	Rural Enterprise and Landscape Area
Local Plan Area:	Not applicable
Zone:	Rural Zone
Assessment Type:	Impact

PROPOSAL:

The application seeks approval for a Development Permit for a Material Change of Use of Premises to Establish Outdoor Sport & Recreation comprising an Aeromodelling Club.

The facilities proposed to be established to support the use would include:

- An all-weather driveway access and car parking area with 10 spaces.
- A 30m x 4m shade cloth shelter with a height of 3m to be constructed over the 'pit' (the area pilots work on and prepare their aircraft for flying).
- A 12m x 3m transportable amenities building with a height of 4m & a 20,000L water tank to capture and provide rainwater for the facilities.
- Two (2) grass runways.

The Suncoast Model Flyers Club (the Club) has identified it has a membership of approximately 100, varying in age from 10 to 87. It is expected that about 15 members may attend the site on weekdays and up to 20 members would attend on weekends, at any one time. As many members have family attend as spectators, it is reasonable to expect that a maximum of 40 people may be on the site on days that have excellent flying conditions.

The Club offers training services for those wanting to learn the sport. The Club is a member of the Model Aeronautical Association of Australia (MAAA) which provides support for pilot training, qualifications (e.g. starting with bronze 'wings') and instructor training. Primarily, the purpose of the Club is to provide a safe environment to enjoy aeromodelling.

Due to safety requirements, the maximum number of model craft permitted to be airborne at any one time is five (5). The Club seeks approval to operate between the hours of 7am and 4pm, 7 days a week, noting that there is lesser to nil attendance after 12pm due to the sun's position (a constraint for visibility). The sport is dependent on weather conditions which means that high wind and/or rain may result in closure of the field or low attendance. The applicant seeks that any approval allow for the maximum attendance / hours of operation to provide flexibility.

Buildings would be located over 400m away from Yandina-Coolum Road, and toward the centre of the site. Access is proposed from Dynes Road via Lot 1 SP 277877 and using existing unsealed farm tracks. Works required to establish the airfield and pit zone require minimal change to the existing ground levels and would involve a balance of cut and fill. Fill would be limited to 1.5m AHD, and cut areas would be for free draining. Recycled road base is proposed to be imported to improve existing farm tracks to provide suitable access, and to establish the new internal driveway and car parking area.

No landscaping is proposed as part of the development. A water tank is proposed to provide on-site water supply, and wastewater management is proposed in the form of a holding tank and pump out service.

Extracts of the proposal plans are provided in Figures 1 - 4 below:

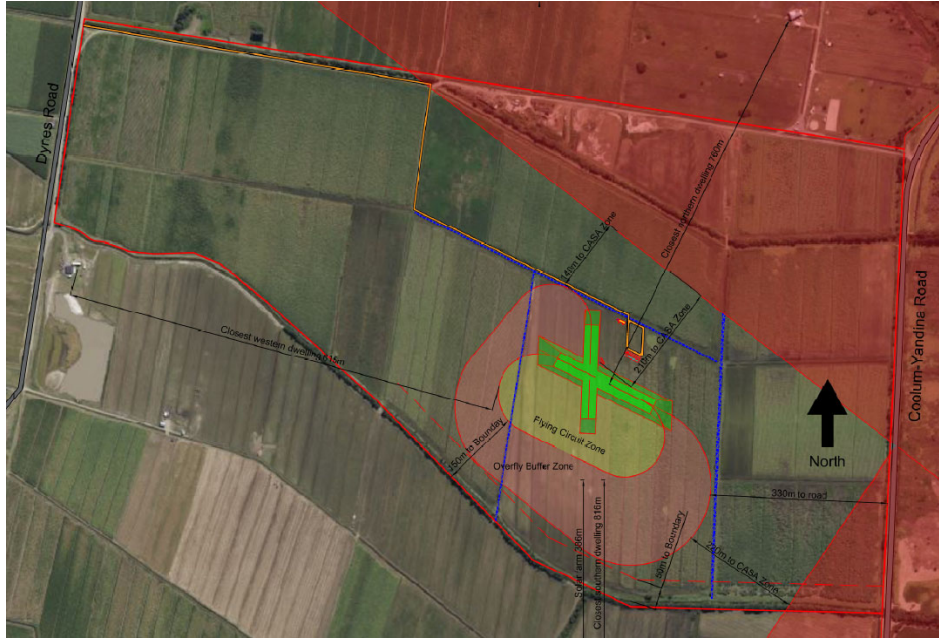


Figure 1: Site Plan



Figure 2: Earthworks Plan

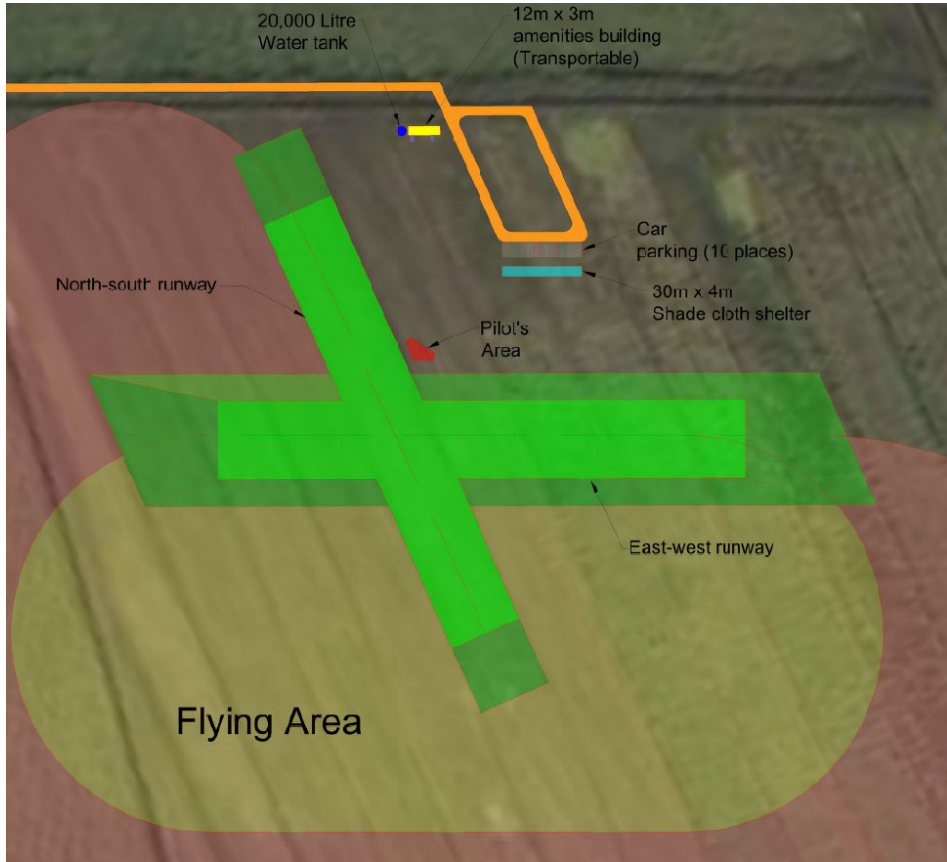


Figure 3: Facilities Plan



Figure 4: Transportable Building

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

MATERIAL CHANGE OF USE	DEVELOPMENT PARAMETERS	
	Design solution offered by the codes as an Acceptable Outcome for achieving compliance	Proposed
Gross Floor Area	Not specified	36m ² amenities building
Building Height/Storeys	Maximum 8.5m	Less than 8.5m
Setbacks	Not specified	Airfield & Amenities: 420m - Yandina-Coolum Rd 910m - Dynes Rd 360m - northern boundary 200m - southern boundary
Access	Access from lower order road	All-weather driveway from Dynes Road
Parking	Sufficient to meet demand	10 car parking spaces
Landscaping	Screening of built form from the scenic route	Maintain existing rural land activities outside of the development footprint
Operating Days / Hours	Not specified	Daylight hours only - 7am to 4pm

SITE DETAILS:

Site Features and Location

SITE AND LOCALITY DESCRIPTION	
Land Area:	Airfield Lot: 57.82Ha & Access Lot: 49.41Ha
Existing Use of Land:	Cane Farm
Road Frontage:	376m to Dynes Road, which has a gravel formation 860m to Yandina-Coolum Road, which is State controlled
Significant Site Features:	Farm drains traversing the site, providing drainage to manmade waterways along the southern boundary and through the northern land parcel Farm access track along the northern boundary and between farm plots within the site
Topography:	Flat
Surrounding Land Uses:	Cropping to the north, west and south, the Sunshine Coast Council Solar Farm to the south, an Equine Facility to the north and Coolum Creek Environmental Reserve to the east (opposite Yandina-Coolum Road)

The location of the subject site in relation to its surrounds is shown in Figures 5 & 6 below:

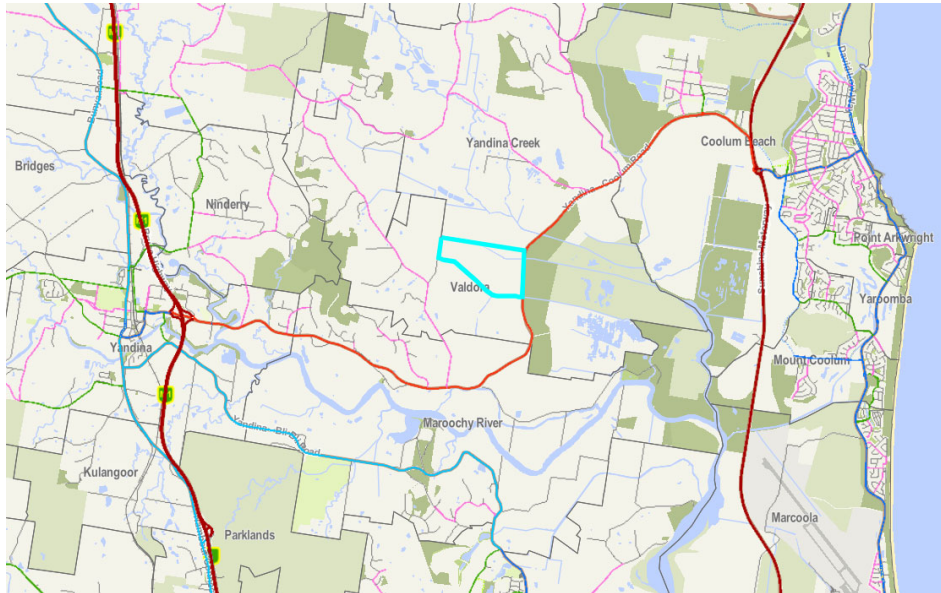


Figure 5: Street Map



Figure 6: Aerial View of Site

Development History of Site

APPLICATION NO.	DECISION AND DATE
REC03/0226	Development Permit to Reconfigure a Lot (2 Lots into 2 Lots) – Approved 15 December 2003
REC14/0096	Development Permit to Reconfigure a Lot (4 Lots into 4 Lots) – Approved 29 October 2014
RAL21/0002	Development Permit to Reconfigure a Lot (2 Lots into 2 Lots) – Approved 19 April 2021

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.

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

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.

However, the SPP mapping for strategic airports and aviation facilities is more current than the Planning Scheme mapping as it incorporates information relevant to the current runway arrangement of the Sunshine Coast Airport. An excerpt of the SPP mapping of the obstacle limitation surface for the Sunshine Coast Airport is provided in Figure 7 below:



Figure 7: Obstacle Limitation Surface Area & Contours (SPP Interactive Mapping)

Strategic airports and aviation facilities - obstacle limitation surface

The development involves an activity within proximity to the Sunshine Coast Airport. The minimum obstacle limitation surface within the flight zone buffer area is 130m above ground level. The applicant has identified that the activity would not result in any intrusion into the operational airspace as the flight zone including a 20m height buffer would equate to a maximum flight height of 120m, which is below the obstacle limitation surface level within the buffer area.

Furthermore, the applicant has provided a copy of email advice received from the president of the Model Aeronautical Association of Queensland (MAAQ) which confirms that the site meets all requirements outlined by CASA to operate RC planes.

The development is therefore considered to meet the SPP as it would not involve an intrusion into the operational airspace of the Sunshine Coast Airport.

Sunshine Coast Airport has been requested to provide comments on the application but has advised they are unable to do so until the activity has been assessed by Air Services Australia (ASA). A copy of the application form required to be submitted to ASA has been provided to the applicant. The applicant has advised that they are not required to make the application to ASA and do not intend to do so.

Assessment Benchmarks Related to the Planning Scheme

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

PLANNING SCHEME DETAILS	
Planning Scheme:	Sunshine Coast Planning Scheme 2014 (23 Jan 2024)
Strategic Framework Land Use Category:	Rural Enterprise and Landscape Area
Local Plan Area:	Not applicable
Zone:	Rural Zone
Consistent/Inconsistent Use:	Potentially Consistent
Applicable Assessment Benchmarks:	<ul style="list-style-type: none"> • Strategic Framework • Acid sulfate soils overlay code • Airport environs overlay code • Flood hazard overlay code • Height of buildings and structures overlay code • Regional infrastructure overlay code • Scenic amenity overlay code • Rural zone code • Sport and recreation uses code • Landscape code • Nuisance code • Safety and security code • Stormwater management code • Sustainable design code • Transport and parking code • Waste management code • Works, services and infrastructure code

Strategic Framework

The Strategic Framework is an Assessment Benchmark for Impact Assessable applications and considers the following themes relevant to achieving the Strategic Intent:

- 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 the Strategic Intent and each of the themes listed above. The pertinent issues arising out of assessment against the Strategic Framework are discussed below.

Strategic Intent

The site is located in the Rural Enterprise and Landscape Area, to the north of the Sunshine Coast Council Solar Farm. The proposed use for Outdoor Sport and Recreation in the form of an Aeromodelling Club would assist to achieve the Strategic Intent for the following reasons:

- The use has a limited development footprint and operation of the use can be managed to maintain the rural enterprise, agricultural production, and environmental values of the site and surrounding areas.
- The use has a direct link to the aviation and aerospace industry which is a key part of the local economy and the community identity of the Sunshine Coast.
- The use is a competitive recreational activity which could attract visitors and spectators to the area if events were to be held.
- The scale of use could be limited to minimise possible noise, traffic, dust and visual impacts, and reasonable and relevant conditions could be applied if the development were to be approved.
- The use would have minimal impact on existing infrastructure and the transport network is adequate for the amount of traffic likely to be generated by the use.
- The establishment of a grass runway and small-scale buildings on the site would have a limited impact on the scenic and landscape values of the area, noting the Sunshine Coast Solar Farm is located in close proximity to the site and has a more dominant visual impact on the landscape.
- The use is an inclusive, non-discriminatory recreational activity which allows people with diverse skills and backgrounds to share a common interest in aviation, remote control hobbies, and aerospace technology, and be part of an active and engaged community group.
- The use allows members of the public to develop special skills and knowledge that can assist them to improve their employability and career opportunities.
- The use is a difficult to locate activity which is best suited to a location that is highly accessible but also benefits from a high level of separation from built-up areas, which can only be found in rural areas.

Settlement Pattern

The proposed development is considered to meet the strategic outcomes listed in section 3.3.1 of the Strategic Framework. In particular, the development involves only small scale buildings and minor changes to natural ground level, which would generally maintain the open space, environmental and landscape values of the area and would not preclude the land from being utilised for a productive rural enterprise in the future. The establishment of a grass runway and small scale buildings is compatible with the nature of development expected to occur in a rural area.

Economic Development

The proposed development is considered to meet the strategic outcomes listed in section 3.4.1 of the Strategic Framework. In particular, the development would not compromise the long term use of the land for agricultural purposes and does not seek to change the private use of the surrounding land for farming enterprises. Cropping activities are able to continue to be undertaken outside of the development footprint, in agreement with the landowner. Furthermore, the use can be operated in a manner that does not compromise the existing productive use of the good quality agricultural land contained within the site, by agreement with the landowner and other lease holders.

The development is located to minimise impacts to land identified in the Agricultural land class A category by being located in areas of the site that are primarily included in the Agricultural land class C category as depicted in Figure 8 below:



Figure 8: Agricultural land class mapping (Qld Globe)

Transport

The proposed development is considered to meet the strategic outcomes listed in section 3.5.1 of the Strategic Framework. In particular, the development is centrally located between the Bruce Highway and Sunshine Motorway, and accessible from existing rural roads, which will make efficient use of existing infrastructure.

The location of the site and the major road network is shown in Figure 9 below:

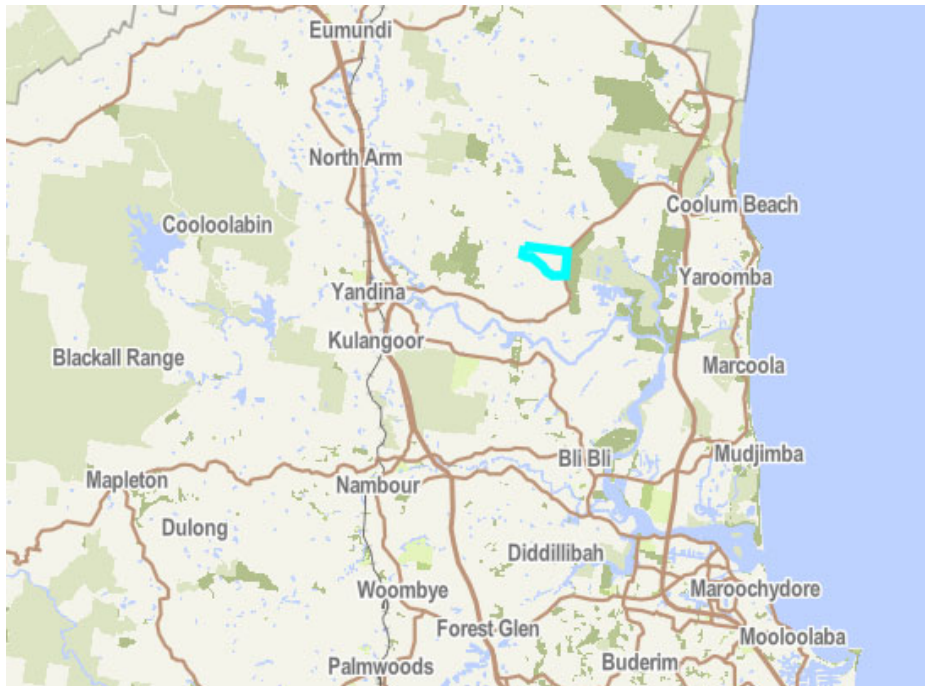


Figure 9: Road mapping (GeoHub)

Many existing Aeromodelling Clubs operate in proximity to roads and are not known to cause any safety issues. The operation of remote-controlled aircraft on the site is not expected to result in any noticeable impact to the existing safety and function of the existing external road network. There are few properties located in proximity of the gravel road that the site would be accessed from that may be potentially affected by dust impacts. Further, it is noted that the development would result in a level of traffic generation that would be equivalent to each lot containing a dwelling house and secondary dwelling and is therefore not considered to be significant. The standard of the road network is therefore considered adequate to accommodate projected traffic volume without causing significant amenity impacts. Furthermore, there is sufficient space within the site to provide for permanent and overflow parking facilities.

Infrastructure and Services

The proposed development is considered to meet the strategic outcomes listed in section 3.6.1 of the Strategic Framework. In particular, the development will make efficient use of existing transport infrastructure networks as previously mentioned, and there are no other infrastructure networks that would be relied upon by the proposed development. Due to being a not-for-profit organisation, the Club may be eligible for a 100% rebate on any applicable infrastructure charges, meaning that it would not be required to contribute to the cost of providing for planned infrastructure.

Natural Environment

The proposed development is considered to meet the strategic outcomes listed in section 3.7.1 of the Strategic Framework. In particular, the development would avoid impacts to any ecologically important areas, as it provides appropriate setbacks to agricultural waterways on the site and to environmental reserves nearby.

As previously mentioned, the development would also maintain the natural and open space landscape values of the site by minimising changes to natural ground levels and providing for existing cropping to be maintained around the use area. The use it not known to result in any significant impacts to the habits of birds and wildlife and is well separated from any areas with notable wildlife habitat and ecological value.

Community Identity, Character and Social Inclusion

The proposed development is considered to meet the strategic outcomes listed in section 3.8.1 of the Strategic Framework. In particular, the development will provide for outdoor recreation in a location that has a close connection to the airport and aviation services, which forms a key part of the community identity. The Club provides an opportunity for people to connect, learn and develop their knowledge in relation to a range of technical skills and personal values that enhance the well-being of individuals and the community. Continuation of the Club would meet a community need and promote social inclusion.

The site is located in a High Value Scenic Area that is characterised by open rural land. However, the use is located with appropriate separation from sensitive uses in the surrounding area and would not result in a substantial impact on the amenity and character of Valdora valley, with the works required to establish the use requiring minimal changes to the landscape and involving buildings and structures of a size and scale that is consistent with the expectations for development in a rural area. Conditions for the Club to maintain the scenic and acoustic amenity of the area to ensure the well-being of the local community and continued operation of existing activities in the surrounding area can be applied if the development were to be approved.

Natural Resources

The proposed development meets the strategic outcomes listed in section 3.9.1 of the Strategic Framework as it will not diminish the supply of natural resources or ability to utilise agricultural land for rural and farming activities. In particular, the development is proposed to be located in areas of the site identified as being Agricultural land class C, and the intermittent and variable nature of the use would not interfere with the potential for cropping and other rural activities to occur on the site, as the Club can manage operations in agreement with the landowner.

Natural Hazards

The proposed development is considered to meet the strategic outcomes listed in section 3.10.1 of the Strategic Framework as the proposal would not increase risks to people or property from any natural hazards. The use would not occur at times when the site or access to the site is inundated with flood water, or during periods of high fire risk. Conditions for the Club to maintain an appropriate water supply and firefighting equipment can be applied if the development were to be approved.

Planning Scheme Codes

The application has been assessed against each of the applicable codes and found to be compliant with, or can be conditioned to comply with, each. The pertinent issues arising out of assessment against the codes are discussed below:

Acid Sulfate Soils Overlay Code

The minimal earthworks required to accommodate the use does not involve an amount of cut and fill, or a depth of excavation or filling that would ordinarily trigger assessment against the *Acid sulfate soils overlay code*. Should any earthworks be proposed at a later date that trigger assessment against this code, an application for operational work would be required to be made.










Airport Environs Overlay Code

The applicant has identified that the activity would not result in any intrusion into the operational airspace as the flight zone, including a 20m height buffer, would equate to a maximum flight height of 120m, which is below the 130m obstacle limitation surface level within the buffer area. Furthermore, the applicant has provided a copy of email advice received from the president of the Model Aeronautical Association of Queensland (MAAQ) which confirms that the site meets all requirements outlined by CASA to operate RC planes.

As previously discussed, Sunshine Coast Airport has been requested to provide comments on the application but has advised they are unable to do so until the activity has been assessed by Air Services Australia (ASA). A copy of the application form required to be submitted to ASA has been provided to the applicant. The applicant has advised that they are not required to make the application to ASA and do not intend to do so.

The development would not involve an intrusion into the operational airspace of the Sunshine Coast Airport or have any impact on the operations of the airport and is therefore considered able to achieve the outcomes sought by the *Airport environs overlay code*.

8.3 BIRTINYA TOWN CENTRE

File No:	Council Meetings
Author:	Major Project Lead Customer & Planning Services Group
Appendices:	App A - Proposed Temporary Local Planning Instrument . 137 ↓  App B - Proposed changes to Kawana Waters Development Agreement - Confidential App C - Draft proposed amendments to Kawana Waters Structure Plan - Confidential
Attachments:	Att 1 - Submission maps 225 ↓  Att 2 - Consultation report 229 ↓  Att 3 - Map of area covered by Development Control Plan No. 1 - Kawana Waters 241 ↓  Att 4 - Renders of cable stay pedestrian and cycle bridge. 243 ↓  Att 5 - Location of Eastbank Hotel map 253 ↓  Att 6 - Draft proposed Town Centre Detailed Planning Area Plan amendments (maps and tables of development) - Confidential Att 7 - Conceptual renders of proposed town centre 255 ↓  Att 8 - Initial transport modelling report 269 ↓  Att 9 - Human Rights Act 2019 Compatibility Assessment 295 ↓ 

PURPOSE

The purpose of this report is to:

- present to Council the outcomes from community consultation on the proposed Temporary Local Planning Instrument to affect the operation of the Caloundra City Planning Scheme 1996 including *Development Control Plan No.1 – Kawana Waters*,
- seek the Council’s approval to proceed with making a Temporary Local Planning Instrument to affect the operation of the Caloundra City Planning Scheme 1996 including *Development Control Plan No.1 – Kawana Waters*,
- seek a delegation of authority to the Chief Executive Officer to carry out the subsequent actions required to implement the changes, should the proposed Temporary Local Planning Instrument be approved by the Minister for State Development, Infrastructure and Planning. These include adopting the proposed Temporary Local Planning Instrument, progressing a planning scheme amendment, finalising, and executing the 12th Deed of Variation to the Development Agreement, approving an amended Kawana Waters Structure Plan and approving amended Detailed Planning Area Plans for Birtinya Town Centre, Eastbank and Birtinya Island.

Appendices B and C and Attachment 6 to this report are confidential in accordance with section 254J(3)(g) of the *Local Government Regulation 2012* as they contain information relating to negotiations of a commercial nature involving the local government for which public discussion would be likely to prejudice the interests of the local government.

Once the 12th *Deed of Variation* has been finalised and executed by all parties, the *Development Agreement* (Consolidated up to and including the 12th *Deed of Variation*) will be published on Council's website (**Appendix B**).

The amended *Kawana Waters Structure Plan* (**Appendix C**) and *Detailed Planning Area Plan* for the Town Centre (**Attachment 6**) are currently in draft format, pending Council's determination of the proposed Temporary Local Planning Instrument before being finalised and formally lodged by the master developer for Council's consideration.

When applications to amend the *Kawana Waters Structure Plan* and the *Detailed Planning Area Plan* for the Town Centre are formally made, they will be available for public inspection on Council's Development.i website.

EXECUTIVE SUMMARY

A Temporary Local Planning Instrument (**Appendix A**) is proposed to affect the operation of the planning framework primarily in relation to the Town Centre under the *Development Control Plan No. 1 - Kawana Waters*, which for ease of recognition Council refers to as the Birtinya Town Centre. It also includes minor amendments to North Birtinya (the northern end of Birtinya Island) and Eastbank Precincts. The proposed Temporary Local Planning Instrument focuses on delivering a higher number of residential dwellings in the town centre in response to the housing crisis on the Sunshine Coast.

Birtinya Town Centre is the last remaining greenfield site in the area covered by *Development Control Plan No. 1 - Kawana Waters* and has always been nominated as a Major Regional Activity Centre, with retail, commercial and high-density residential land uses proposed. It is an ideal location to provide more residential density as it already has the infrastructure capacity to support additional development and does not directly adjoin any low-rise residential neighbourhoods.

The proposed Temporary Local Planning Instrument will:

- shift unutilised population quotas from the already fully developed Development Control Plan precincts to the town centre, so that the total population allowed under the Development Control Plan will remain unchanged,
- allow the maximum building height across the town centre to be increased from 10 storeys to 15 storeys, with no less than 6 buildings on 6 sites having a lower height limit,
- provide for an improved town centre layout with a 60% increase in public open space,
- require new residential developments to contribute to the supply of housing diversity and affordability,
- allow for the development of hotel accommodation at Eastbank – next to Sportsmans Parade – to capitalise on the forthcoming investment into the Kawana Sports Precinct and help address the region's tourist accommodation shortfall,
- allow for up to two key sites within North Birtinya to have their maximum building height increased from 8 storeys to 10 storeys, and
- allow for an alternative location and delivery mechanism for the future Birtinya Library/Learning Centre and Cultural Centre.

Using a Temporary Local Planning Instrument to make the changes to the Development Control Plan is considered appropriate given the urgent need to respond to the housing crisis and capitalise on the opportunities presented by the forthcoming investments into the Kawana Sports Precinct in the lead up to and during the Brisbane 2032 Olympic and Paralympic Games.

The proposal would assist Council in responding to the State government-imposed growth targets, by consolidating population growth in a well serviced town centre, with good access to employment, transport, and recreation opportunities.

The key considerations include the following:

- Managing traffic impacts on both State and local government-controlled roads.
- Coordinating State Government stakeholders, ensuring an aligned vision.
- Ensuring affordable housing provisions are drafted in an enforceable way to deliver on the intended outcomes.
- Managing built form outcomes to ensure all buildings incorporate sub-tropical design principles and provide exemplar and diverse built form outcomes, offering engaging and activated streetscapes and ground planes.
- Managing the State Government's expectations with respect to the degree of increased residential densities in Birtinya Town Centre and adjacent precincts.

These issues have been considered in detail, as outlined in this report.

Council officers recommend that the proposed Temporary Local Planning Instrument be approved, and that authority be delegated to the Chief Executive Officer to carry out the subsequent actions required to implement the changes.

If Council approves the proposed Temporary Local Planning Instrument, it must then be approved by the Minister for State Development, Infrastructure and Planning before it can be adopted.

OFFICER RECOMMENDATION

That Council:

- receive and note the report titled "Birtinya Town Centre"**
- decide to make a proposed Temporary Local Planning Instrument (Birtinya Town Centre) No. 4 of 2025 (Appendix A)**
- delegate authority to the Chief Executive Officer to undertake the statutory process under the *Planning Act 2016* and the *Minister's Guidelines and Rules for the making of a Temporary Local Planning Instrument***
- delegate authority to the Chief Executive Officer to adopt the proposed Temporary Local Planning Instrument (Birtinya Town Centre) No. 4 of 2025, subject to receiving approval from the Minister for State Development, Infrastructure and Planning and complying with any conditions stated to apply by the Minister for State Development, Infrastructure and Planning**
- delegate authority to the Chief Executive Officer to take action to undertake the statutory process under the *Planning Act 2016* for amending a planning scheme**

to reflect the provisions of the Temporary Local Planning Instrument (Birtinya Town Centre) No. 4 of 2025 in the planning scheme

- (f) delegate authority to the Chief Executive Officer to take action to draft, negotiate, finalise, execute, and implement a 12th Deed of Variation to the Kawana Waters Development Agreement, generally reflecting the changes to the Kawana Waters Development Agreement illustrated in Appendix B
- (g) delegate authority to the Chief Executive Officer to take action to endorse as approved a revised traffic modelling report for the Kawana Town Centre, following the receipt of a written acceptance of the report by the Department of Transport and Main Roads
- (h) delegate authority to the Chief Executive Officer to take action to determine an application to amend the *Kawana Waters Structure Plan* following the endorsed approval of a revised traffic modelling report for the Kawana Town Centre, generally reflecting the changes illustrated in Appendix C
- (i) delegate authority to the Chief Executive Officer to take action to determine an application to amend a master plan to generally reflect the changes outlined in this report in relation to the Detailed Planning Area Plans for the following:
 - (i) DPA 1 – Eastbank / Regatta
 - (ii) DPA 11 – Birtinya Island
 - (iii) DPA 13 – Town Centre and
- (j) authorise the Chief Executive Officer to make publicly available the updated Consolidated Kawana Waters Development Agreement following the finalisation and execution by all parties of the 12th Deed of Variation to the Kawana Waters Development Agreement.

FINANCE AND RESOURCING

Sufficient funds are available to complete this project within the current 2024/2025 budget for Urban Growth Projects.

As the master developer, Stockland has agreed to cover Council's legal fees up to a maximum of \$150,000.

Stockland is also required to pay an application fee for Council's assessment of the amended Kawana Waters Structure Plan. Under Council's fees and charges register, this fee is 'Price on Application', but in the past has typically been \$60,000.

CORPORATE PLAN

Corporate Plan Goal: *Our environment and liveability*

Outcome: We serve our community by providing this great service

Operational Activity: S14 - Sustainable growth and network planning – providing land use planning, social policy, infrastructure planning and charges, flood mapping, transportation planning and environmental initiatives.

CONSULTATION**Councillor Consultation**

All Councillors were briefed on the proposal in August 2024 and prior to commencement of public consultation in October 2024. Divisional Councillor T Burns has been briefed at regular meetings with the project team.

Internal Consultation

As part of the assessment process, various aspects of the proposal have been forwarded to the following internal Council specialists:

- Program Director, Urban Growth, Customer and Planning Services.
- Principal Engineer - Urban Growth Projects Branch, Customer and Planning Services.
- Coordinator, Transport Network - Urban Growth Projects Branch, Customer and Planning Services.
- Coordinator, Transport Strategy & Policy - Urban Growth Projects Branch, Customer and Planning Services.
- Senior Transport Planner - Urban Growth Projects Branch, Customer and Planning Services.
- Urban Design and Architecture Lead - Customer and Planning Services.
- Senior Architect - Customer and Planning Services.
- Senior Landscape Officer - Development Services Branch, Customer and Planning Services.
- Principal Environmental Management Officer - Development Services Branch, Customer and Planning Services.
- Coordinator, Smart City Framework – Business and Innovation Branch, Business Performance.
- Coordinator Open Space & Social Policy – Environment and Sustainability Policy Branch, Liveability and Natural Assets.
- Senior Open Space & Recreation Planner - Environment and Sustainability Policy Branch, Liveability and Natural Assets.
- Senior Open Space & Recreation Planner – Parks and Gardens Branch, Built Infrastructure.
- Coordinator, Collection Services – Waste and Resource Management Branch, Liveability and Natural Assets.
- Manager, Arts Heritage & Libraries - Arts Heritage and Libraries Branch, Economic & Community Development.

In addition, the application was reviewed, and input provided, by the following areas of Council:

- Environmental Operations Branch (Coastal Constructed Waterbodies team), Liveability and Natural Assets.

- Strategic Planning Branch, Customer and Planning Services.
- Community Planning & Engagement, Economic & Community Development.
- Legal Services, Civic Governance.
- Economic Development Branch, Economic & Community Development.
- Library Services Team, Economic & Community Development.

The above internal and external assessments form part of this report.

External Consultation

Consultation has occurred with Stockland (Master Developer) and officers from the Department of State Development, Infrastructure and Planning (and the predecessor Department), the Department of Transport and Main Roads and the Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development (and the predecessor Department) on the following basis:

- Department of State Development, Infrastructure and Planning – as the relevant State Agency whose Minister is responsible for considering a proposed Temporary Local Planning Instrument.
- Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development – as the relevant State Agency whose Minister is a signatory to the Kawana Waters Tripartite Development Agreement and the Agency with responsibility for coordinating State Agency relevant interests in the master planning process.
- Department of Transport and Main Roads – as the relevant State agency regarding town centre design and functionality with respect to State roads and transport infrastructure and as a stakeholder in a developer / government agency working group with respect to traffic modelling.
- Stockland in their role as Master Developer of Kawana Waters and a signatory to the tripartite Kawana Waters Development Agreement.

The outcome from external consultation is outlined in the proposal section of this report.

Community Engagement

Under the *Planning Act 2016* and the *Minister's Guidelines and Rules 2024*, the making of a Temporary Local Planning Instrument does not require or normally involve a community consultation process. However, in this instance, Council sought to understand the community's views on the proposed changes to *Development Control Plan 1 – Kawana Waters* prior to making a decision.

Council conducted a 20 business day period of informal (non-statutory) community consultation on the proposed Temporary Local Planning Instrument between 16 October and 12 November 2024.

The consultation and communication strategy implemented during this period included:

- a media release published on Council's 'OurSC' webpage on 16 October 2024
- media release sent to all local media outlets on 16 October, including radio, online and TV coverage

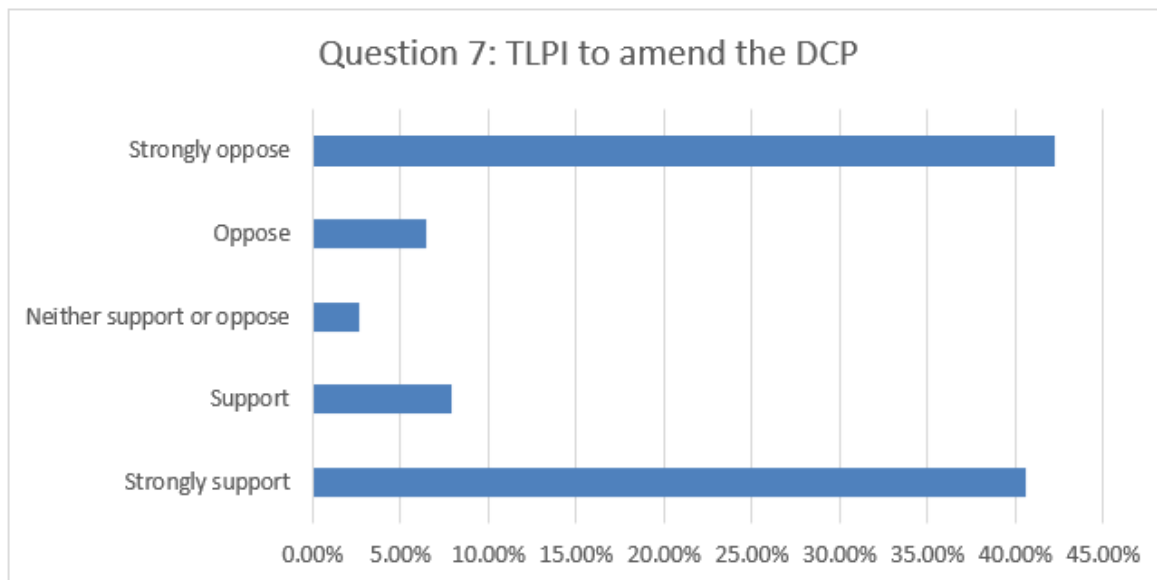
- a dedicated webpage on Council’s ‘Have Your Say’ website, including a copy of the proposed Temporary Local Planning Instrument, six fact sheets and an online Feedback Form
- social media posts including Facebook and LinkedIn
- two pop-up sessions held at Birtinya Shopping Centre on the following days:
 - 10am to 12pm, Saturday 26th October 2024 and,
 - 3pm to 5pm, Thursday 7th November 2024
- key stakeholder groups were briefed on the proposal, including local resident’s associations, chambers of commerce and Queensland Health and
- responses were provided to all inbound telephone and email enquiries.

During the community consultation period, Council received a total of 758 submissions, with 753 responses received through Council’s Have Your Say website. This represents 0.2% of the total population of the Sunshine Coast. 216 of the submissions were from Birtinya residents (28% of the total received), which represents 4.9% of the 2021 population of Birtinya.

The feedback form included three (3) multiple choice questions, with a summary of the responses to each question outlined below:

Question 7

“To what extent do you support the proposal to give effect to a new master plan for Birtinya Town Centre by making the Temporary Local Planning Instrument to amend the Development Control Plan for Kawana Waters?”

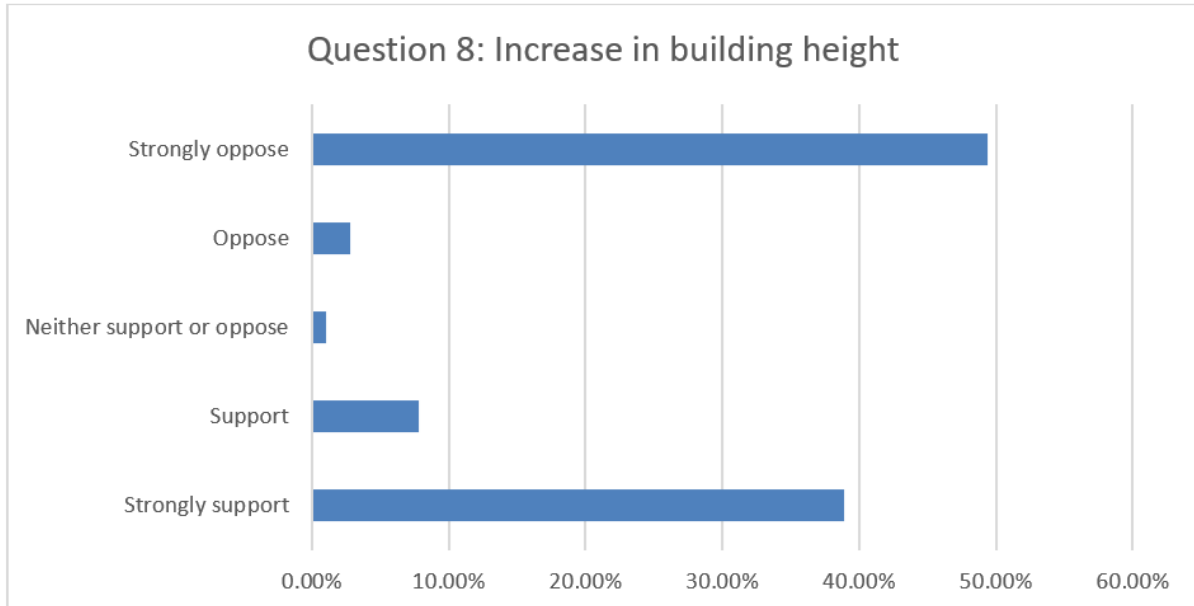


On question 7, the responses were evenly split with both 49% of respondents either supporting/strongly supporting or opposing/strongly opposing the question.

77% of respondents over the age of 59 opposed/strongly opposed this question, 55% of respondents aged 35-59 supported/strongly supported the question, and 79% of respondents aged under 35 supported/strongly supported it.

Question 8

“To what extent do you support the proposal to increase the allowable building height in Birtinya Town Centre from 10 storeys to 15 storeys, with provision for up to three taller buildings of no more than 18 storeys?”



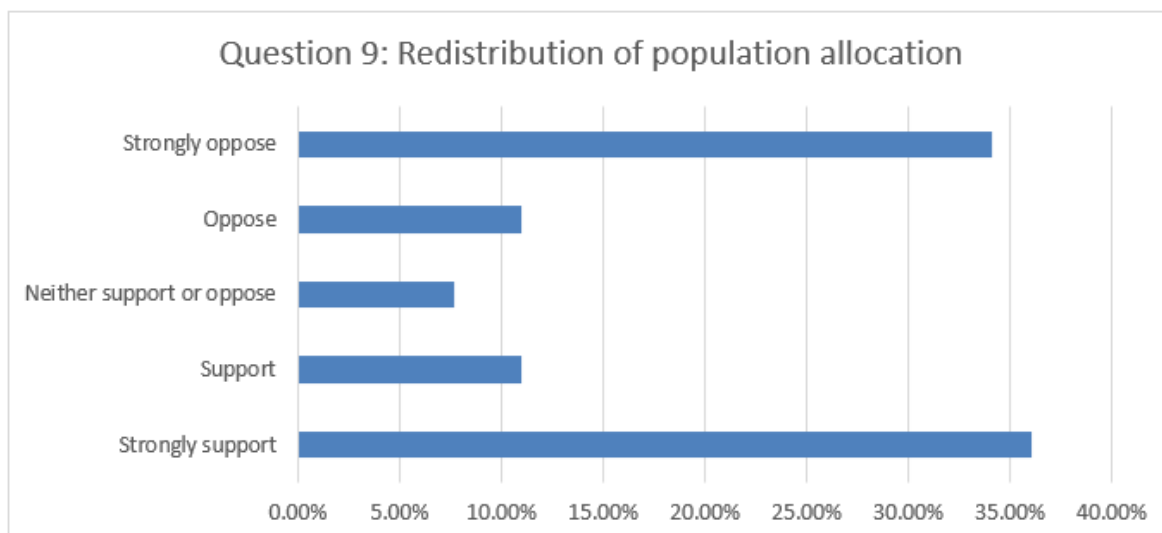
On question 8, 52% of respondents opposed/strongly opposed the proposed increase in building height, versus 47% who supported/strongly support it.

84% of respondents aged over 59 opposed/strongly opposed this question, 53% of respondents aged 35-59 supported/strongly supported the question, and 76% of those aged under 35 supported/strongly supported it.

In relation to question 8, it is noted that the Fact Sheet on building height that formed part of the public consultation material, included an existing building height plan that identified the current maximum building height on the western side of Kawana Way as being between 6 and 8 storeys. While this accurately reflects the current approved Detailed Planning Area Plan for the town centre, the higher order Development Control Plan currently (and has since its inception in 1996) allowed 10 storeys across the whole town centre. Therefore, the existing Detailed Planning Area Plan may be amended by the master developer at any time to increase building heights west of Kawana Way to 10 storeys in accordance with the current Development Control Plan.

Question 9

“To what extent do you support the proposal to redistribute unused population allocations from the already developed parts of Kawana Waters to the undeveloped parts of Birtinya Town Centre?”



On question 9, 47% of respondents supported/strongly supported the proposed redistribution of population allocation, versus 45% who opposed/strongly opposed it.

68% of respondents aged over 59 opposed/strongly opposed this question, 52% of respondents aged 35-59 supported/strongly supported the question, and 74% of those aged under 35 strongly supported it.

There is a clear generational split in the responses, with respondents under the age of 35 generally being strongly supportive of the proposed changes while those aged over 59 being generally opposed.

Attachment 1 contains maps which show the location of the respondents to each of the three multiple choice questions, colour coded based on their response. The mapped location is based on the address provided by the respondent as part of the feedback form. As a general trend, more of the opposed respondents were located in Birtinya and surrounding suburbs, whereas more of the supporting respondents were located further afield. However, a significant number of submissions supporting the changes also came from local residents.

Council also received five written submissions, not lodged via the Have Your Say website, which are not included in the above breakdown. Of the five written submissions received, 4 indicated support whilst 1 opposed the proposed changes.

A detailed analysis of the responses to these questions, as well as the qualitative responses received from question 10 on the feedback form, the attachments that were uploaded and the separate letters that were received, is provided in the Consultation Report at

Attachment 2.

Following Council's decision, it is proposed to provide a response to all submitters advising of Council's decision and attaching a copy of the Consultation Report. Given this was a non-statutory consultation exercise, there are no third-party appeal rights.

In response to the consultation feedback received, several changes are recommended to the proposed Temporary Local Planning Instrument, including:

- Removing the three 18-storey sites and having a maximum 15 storey height limit for the town centre.
- Reducing the maximum building height for a minimum of 6 buildings on 6 sites to 12 storeys in the town centre.

- Adding a reference in the purpose of the proposed Temporary Local Planning Instrument to the proposed hotel on Council owned land at Eastbank.
- Amending historical terms in the Development Control Plan like 'light rail' and 'mass transit' to refer to the current name of the project which is Sunshine Coast Public Transport project.

PROPOSAL

The proposed amendments to the planning framework for Birtinya Town Centre are intended to deliver increased housing supply, in a well serviced location, that is diverse in type and form, to enhance housing affordability while ensuring all supporting infrastructure networks are designed to support a vibrant and active town centre.

To give effect to the revised plan for the town centre, the following documents are proposed to be amended:

- *Development Control Plan No. 1 – Kawana Waters*, being part of the planning scheme, that is proposed to be varied by way of a Temporary Local Planning Instrument.
- The *Development Agreement*, that is proposed to be varied by way of the *12th Deed of Variation*, to vary the parties' obligations to give effect to the development proposed by Stockland and the community benefits negotiated by Council.
- *Kawana Waters Structure Plan*.
- The Detailed Area Plan for the Town Centre (Master Plan No. 100).

The proposal also includes some supplementary master planning amendments outside the Birtinya Town Centre at Eastbank to allow for the development of hotel accommodation and at Birtinya Island (North Birtinya) to increase the maximum building height to 10 storeys on up to two key sites and allow flexibility in terms of the Birtinya Library/Learning Centre and Cultural Centre location and delivery mechanism.

Background

Kawana Waters is a master planned development area located between Currimundi Creek and the Mooloolah River, covering 1,613 hectares.

The area has been progressively developed under a Development Lease (Crown Lease) since the 1960s by a number of historic master developers. Stockland is the current master developer that has responsibility for managing and progressing development outcomes under the current Crown Lease and providing the required infrastructure to support the development area.

In the mid-1990s a new master planning process was introduced for the remaining undeveloped areas of Kawana Waters to improve development outcomes and address prior shortfalls in infrastructure provision. At this time, *Development Control Plan No. 1 – Kawana Waters* and the *Development Agreement* commenced. The area covered by *Development Control Plan No. 1 – Kawana Waters* is shown on **Attachment 3**.

The *Development Agreement* is a tripartite agreement between Council, the (then) Minister for Natural Resources and Stockland, which sets out each parties' obligations for the provision of infrastructure and associated delivery timeframes. Generally, Stockland is required to deliver the required infrastructure at no cost to Council.

Over 90% of the Kawana Waters area has now been developed. It is anticipated the area will be fully developed by 2035. While there are some key sites that remain vacant and are yet to be developed by third party developers, the last remaining area of the current Crown Lease to be developed by Stockland is the Birtinya Town Centre.

The master planning for the Birtinya Town Centre has been evolving for over 20 years and has been required to respond to changing market forces and political announcements. The current planning framework for the town centre has been in effect since November 2017. Parts of the town centre on the western side of Kawana Way have been developed under this framework, including stage 1 of the Birtinya Shopping Centre.

Considering the recent emergence of issues regarding housing supply, housing affordability, population growth and the announcement of significant investment into the Kawana Sports Precinct, there is an opportunity to review the planning framework for the town centre to ensure the land use planning appropriately responds to current circumstances.

Given the significant investment by Stockland into the construction of two pedestrian/cycle bridges providing connections to the town centre, there is a desire to coordinate development of the next stage of the town centre with these new active transport connections in a timely manner. Accordingly, there is an intention to commence construction of the next stage of the town centre by mid to late 2025.

The flowchart below (**Figure 1**) provides an outline of the Kawana Waters master planning process. Under the terms of the *Development Agreement*, Stockland have the responsibility to complete all steps of the master planning process, illustrated in the flow chart below, before land can be 'freeholded' out of the Crown Lease and sold. This process ensures both Council and the State have strong regulatory control of the land use outcomes and infrastructure provision within the master planned area.

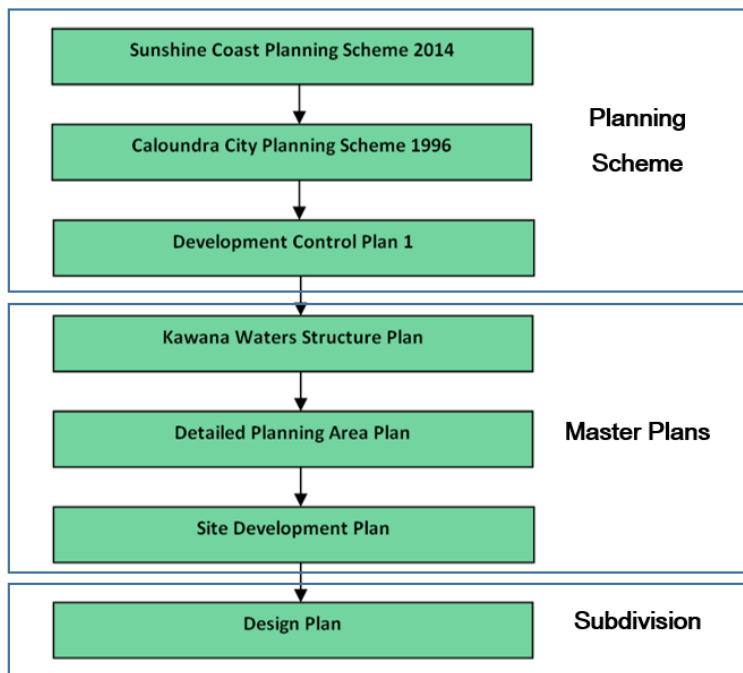


Figure 1 - Kawana Waters Master Planning Process

Pedestrian Bridges

There are currently two pedestrian and bicycle access bridges under construction connecting to Birtinya Town Centre. These bridges form part of the key remaining deliverables under the *Development Agreement* that Stockland are required to deliver, at no cost to Council. When complete they will provide the catalyst for further development on the town centre site.

Community Centre pedestrian access bridge (cable stay bridge)

A new east-west pedestrian access bridge is being constructed across Lake Kawana that will connect land adjacent to Venue 114 on Sportsmans Parade to the town centre. The new 130-metre-long bridge, valued at \$27 million, will create an important new active transport link and enhance the recreation route around Lake Kawana. It comprises an iconic cable stay design which spans the rowing course without any piers and will include feature lighting.

Construction is expected to be completed in early 2026, subject to weather conditions and construction progress. Refer to **Attachment 4** for renders of the completed bridge.

Southbank Park pedestrian and bicycle access bridge

A new north-south pedestrian and bicycle access bridge is currently under construction across the western waterway of Lake Kawana. The new 70m long bridge will connect from North Birtinya Village Park on Southbank Parkway to the town centre. Construction is expected to be completed in early 2025, with a section of walkable waterfront on the town centre side, linking back to Lake Kawana Boulevard, planned to open at the same time, to provide a new interim active transport loop around the lake.

Development Control Plan No. 1 – Kawana Waters

Development Control Plan No. 1 - Kawana Waters is the part of the planning scheme that regulates development in the parts of Kawana Waters that had not been developed prior to 1996 (refer to **Attachment 3**). It is the highest order Council planning document for the area, which sets out the broad vision and land use pattern.

The key proposed amendments to the *Development Control Plan 1 – Kawana Waters* are summarised below:

- Amending building height provisions for the town centre to enable buildings up to 15 storeys.
- Amending population thresholds (Map 4) to shift unutilised population quotas from Kawana Island (Parrearra), Creekside (Currimundi) and Kawana Forest (Meridan Plains) to Birtinya, to support the proposed residential uplift in the town centre. An increase from 9,025 persons to 11,692 persons is proposed for Birtinya, being an additional 2,667 persons, with a corresponding cumulative population reduction from Kawana Island, Creekside, and Kawana Forest.
- An improved, 60% larger, open space network for the town centre.
- Revised descriptions of the town centre precincts.
- Inclusion of requirements for the delivery of housing that is affordable in the town centre.

- Enabling residential land uses to be located along parts of the Kawana Way frontage in the town centre, providing increased opportunity for the development of affordable housing.
- Permitting residential and commercial uses above the second stage of the Birtinya Shopping Centre which provides the opportunity for housing and employment adjacent to the future heavy rail and Bus Rapid Transit stations.
- Incorporating requirements relating to the delivery of a green spine in the town centre that would provide an urban open space connection from the cable stay pedestrian bridge and the Southbank Park pedestrian and bicycle access bridge to the Sunshine Coast Public Transport station on Kawana Way.
- Allowance for an additional two storeys of building height, up to 10 storeys, on two key sites at the northern end of Birtinya Island, allowing for additional housing.
- Allowance for a hotel on Council owned land at Eastbank opposite the Sunshine Coast Stadium.

Further detail on the key proposed changes with respect to population reallocation, building height, open space and town centre vision is provided below:

Reallocation of Unutilised Population Quota

As shown on Map 4 of *Development Control Plan No. 1 - Kawana Waters*, the master planned area has always been planned to accommodate up to 22,410 people, with this population distributed across five precincts, Creekside, Kawana Forest, Birtinya, Bokarina Beach, and Kawana Island.

Kawana Island, Kawana Forest and Creekside are now fully developed and have not reached their planned population targets. Further, there is no short to medium term opportunity for additional housing to be provided in those precincts. Therefore, it is proposed to shift the unutilised population quotas from these three precincts to the Birtinya precinct, enabling the town centre to accommodate a higher number of dwellings, plus providing some flexibility for other vacant sites in Birtinya to accommodate further growth.

Under Map 4 of *Development Control Plan No. 1 - Kawana Waters*, the current maximum population for Precinct Three, which is Birtinya, is 9,025. It is proposed to increase this to 11,692, an increase of 2,667 people, by reallocating population quotas as illustrated in **Figure 2**.

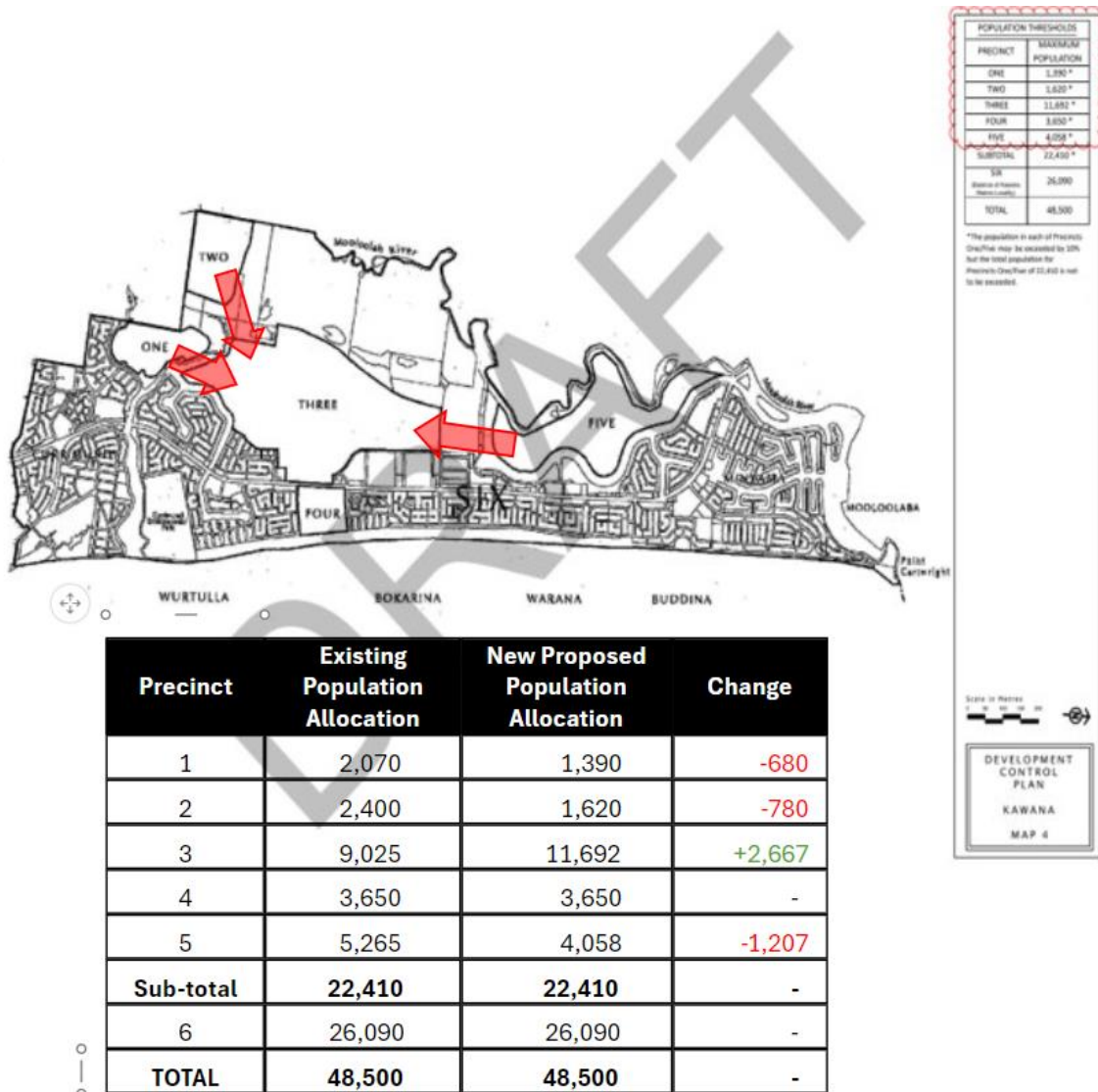


Figure 2 - Population quota reallocation.

Based on Queensland Statistician’s Office data for years 2021 to 2046, the average occupancy for an apartment is 1.6 persons. All future dwellings in Birtinya will be in the form of apartments, as all land that could be utilised for detached housing has already been developed. Therefore, the additional 2,667 persons equates to approximately 1,667 dwellings. It is proposed that up to 1,267 of the additional dwellings be accommodated in the town centre (refer to *Kawana Waters Structure Plan* section of this report for further details).

There are no current plans for the remaining 400 dwellings. However, the allowance for an additional 400 dwellings in Birtinya provides some flexibility to accommodate further growth on undeveloped sites outside the town centre should the plans for these sites change in the future. There is more scope for this quota to be utilised in Birtinya than in Kawana Island, Kawana Forest, or Creekside.

The proposed shifting of unutilised population quota will allow the Kawana Waters master planned area, as a whole, to come closer to reaching its original intended population target. Given current regional population growth pressures, it is important to maximise the use of existing master planned development areas, relieving the need for more remote greenfield development sites, which are located further from employment, services, and facilities and which are more costly to service with infrastructure.

Birtinya Town Centre residential uplift

Using the reallocated population quotas mentioned above, it is proposed to increase the maximum number of dwellings in the town centre by 1,267, to a new maximum of 2,600. This equates to approximately 1.5% of the overall number of dwellings required to be accommodated on the Sunshine Coast between 2021 and 2046 to meet mandatory housing benchmarks and accommodate projected population growth. It also equates to approximately 5 months of additional housing supply.

Birtinya Town Centre is one of the last remaining greenfield development sites in the coastal corridor between Maroochydore and Caloundra. Whilst Council's long term planning strategy provides for a balance between urban consolidation and greenfield development, it also anticipates that a significant proportion of the region's projected population growth and most new high-value business and industry investment will be accommodated in this corridor. The town centre site is centrally located within this corridor, close to a range of services and amenities, and is of a size able to accommodate higher residential densities that would make a meaningful contribution to housing supply and diversity on the Sunshine Coast.

Birtinya Town Centre is identified as a Major Regional Activity Centre in the State Government's *Shaping SEQ 2023* regional plan, and the *Sunshine Coast Planning Scheme 2014*. This places it at the same level as Caloundra, Nambour, and Sippy Downs in Council's centres hierarchy. A minimum of 45,000m² commercial gross floor area in the town centre, together with an additional 8,000m² of retail gross floor area are included in the current master plan and these elements are not proposed to be changed. This will ensure a degree of self-containment is achieved, enabling residents to live, work and recreate in the town centre, reducing the need for vehicle trips on the road network.

ShapingSEQ 2023 also has an increased focus on delivering greater housing supply and diversity. It sets ambitious dwelling targets that Council must comply with and continues to strengthen policy requiring a transition to greater levels of urban consolidation in areas of high amenity and close to centres. This position was generally supported by Council in a submission made during the preparation of *ShapingSEQ 2023*, where it was specifically identified that 'Council is preparing a new planning scheme that is intended to provide an enhanced focus on delivering urban consolidation. In particular, new consolidation opportunities will be focussed within and close to centres and along key transport corridors in the coastal corridor between Caloundra and Maroochydore. Over time, the new planning scheme will significantly contribute to achieving the housing supply and urban consolidation targets set by the Regional Plan. Council supports the State Government's continued commitment to prioritising consolidation over expansion, and the related aspirations for increasing housing diversity and affordability.' (SCC, Submission to DRAFT 'ShapingSEQ' South East Queensland Regional Plan 2023 Update and Supporting Documents', pp.14).

The population density of the town centre, if developed to its proposed maximum allowance under the *Kawana Waters Structure Plan* (discussed below), would be approximately 100 dwellings per hectare, being up to 2,600 dwellings on the 26-hectare site. *ShapingSEQ 2023* specifies a target minimum residential density range of between 40 and 200 dwellings per hectare for major regional activity centres. The proposed population density within the town centre is at the lower end of the State government's range.

Increasing residential yield in Birtinya Town Centre will enhance the business cases for various State transport infrastructure projects, including Direct Sunshine Coast Rail, Sunshine Coast Public Transport (Bus Rapid Transit), Kawana Motorway and the Mooloolah River Interchange, therefore assisting in potentially bringing forward their delivery.

As the proportion of journeys taken by car is lower for residents in the coastal corridor (including Birtinya) than it is for residents in more remote locations, additional housing in Birtinya places less pressure on the region's road network than the same amount of additional housing elsewhere.

In summary, optimising the residential yield within Birtinya Town Centre serves a number of planning objectives that are aligned with both *ShapingSEQ 2023*, and the Council's long term planning strategy as expressed in the Corporate Plan, the *Sunshine Coast Planning Scheme 2014*, and the preliminary consultation documents for the proposed new planning scheme. Most importantly, increasing the supply and diversity of housing, and increasing residential density overall, in this location with high levels of accessibility to both the proposed Direct Sunshine Coast Rail project and the Sunshine Coast Public Transport project will assist Council in achieving mandatory housing benchmarks as well as contributing to an urban form outcome that is more supportive of the delivery of an integrated public transport system for the Sunshine Coast.

Building Height

Development Control Plan 1 - Kawana Waters has a current height limit of 10 storeys for the town centre. This is proposed to be increased to 15 storeys as part of the proposed Temporary Local Planning Instrument, with the original proposal including provision for up to three taller buildings of no more than 18 storeys.

The three sites in the town centre on which an 18-storey building were proposed included a centrally located site adjacent to the proposed Civic Plaza, and two sites adjoining Lake Kawana, which are located in the proposed Town Centre Lakeside Precinct beside the cable-stay bridge.

The community consultation feedback revealed that 52% of respondents were opposed to the proposed change in maximum building height, and the written and verbal feedback received indicated particular concern with the three proposed 18-storey sites. The three 18-storey sites are also outliers in terms of the existing height limits for other centres on the Sunshine Coast, outside of Maroochydore Priority Development Area, as illustrated in **Table 1** below.

For these reasons, it is recommended that the three 18-storey sites be removed and that the proposed Temporary Local Planning Instrument provide for a maximum building height of 15-storeys across the whole town centre.

Furthermore, in response to community feedback regarding building height, it is recommended that the maximum building height be further reduced to 12 storeys for no less than 6 buildings on 6 sites in the town centre. This will ensure that not all sites are developed to 15 storeys and thereby encourage a more varied skyline across the town centre.

The proposed Temporary Local Planning Instrument document (**Appendix A**) has been amended to reflect these recommendations.

The additional building height is required to accommodate the proposed population uplift for the town centre. It also presents opportunities for improved design outcomes, with taller more slender buildings and a 60% increase in public open space at ground level.

Under the proposed changes to *Development Control Plan No. 1 - Kawana Waters*, all buildings will be required to incorporate sub-tropical design excellence, exemplar sustainable design outcomes and climate responsive architecture. Council's recently released Design Guide for Sunshine Coast Apartments and Townhouses will assist in achieving this objective.

The proposed uplift in residential yield does not necessitate all buildings to be 15-storeys in height. It is likely that commercial development, as well as some residential developments will be significantly lower. Additional development controls are intended to be implemented through the master planning process to ensure building heights are varied across the precinct, remain consistent with the intended town centre character, and contribute to creating a vibrant public realm, while ensuring a diverse and articulated skyline is achieved.

A shadow analysis has been prepared demonstrating that at no time would a 15-storey building in the town centre cast a shadow over any part of an existing building in an adjoining planning area. Further, 15-storey buildings in the town centre would not be visible from the beach.

The proposed increase in building height to 15-storeys is generally consistent with the maximum building heights set down in the centres hierarchy of the *Sunshine Coast Planning Scheme 2014*. Birtinya Town Centre is intended to be developed as a Major Regional Activity Centre. Maroochydore, as the Principal Regional Activity Centre for the Sunshine Coast, provides for the greatest building heights.

Table 1 - Building height comparison with other Sunshine Coast Centre precincts

Centre zone	Max height permitted under 2014 Planning Scheme
Maroochydore Priority Development Area	20 storeys (60m) generally with three buildings up to 26 storeys (80m), one building up to 33 storeys (100m) and one building capped only by the airport Obstacle Limited Surface (approx. 46 storeys or 140m).
<i>Birtinya Town Centre (proposed)</i>	<i>15 storeys</i>
Mooloolaba	Mix of 15 storeys (45m) and 12 storeys (37.5m).
Maroochydore (outside Priority Development Area)	Mix of 13 storeys (40m) and 8 storeys (25m)
Caloundra	Mix of 10 storeys (30m) and 8 storeys (25m).
<i>Birtinya Town Centre (existing)</i>	<i>10 storeys</i>
Sippy Downs	8 storeys (25m)
Nambour	8 storeys (25m)
Marcoola (South)	8 storeys (25m)

Centre zone	Max height permitted under 2014 Planning Scheme
Bokarina Beach / Birtinya Island / Health Hub	8 storeys
Buddina	7 storeys (21m)

The average height of the 13 existing tallest buildings on the Sunshine Coast is 15-storeys and 50m. The existing Sunshine Coast Stadium Light Poles are 45m in height (equivalent to a 14-storey building)

By comparison, the average height of the 30 tallest existing buildings on the Gold Coast is 48-storeys and 161m. The Q1 building on the Gold Coast is 78-storeys with a height of 332m.

With the removal of the three 18 storeys sites, the proposed 15-storey height limit is consistent with allowable building heights in other comparable centres of the Sunshine Coast. The proposed height reflects established Sunshine Coast character, with the proposed height being consistent with other existing and permitted buildings in the region, and the buildings being located away from the beach, and their sub-tropical design requirements. The recommended further reductions in allowable building height for specific sites in the town centre will ensure a more varied skyline. The buildings would not be visible from the beach or cause any overshadowing or loss of views to existing residents. The additional height is necessary to accommodate the proposed population uplift (reallocated from unutilised quotas elsewhere in Kawana Waters).

Open Space

A 9,737m² increase in public open space (67%) is proposed for the town centre.

The Town Square would be replaced by a significantly larger Green Spine allowing for a series of outdoor spaces and a Civic Plaza in conjunction with improved pathways and cycle ways. The Neighbourhood Park component of the green spine, in the Town Centre East Precinct, would comprise an area of 6,387m². The Green Spine would create activation opportunities to support businesses, such as cafes, restaurants, and retail. The Green Spine would also assist in the provision of strong pedestrian and active transport connections from the two pedestrian/cycle bridges to the shopping centre and future bus rapid transit station and railway station.

The Precinct Park component of the Green Spine, in the Town Centre Lakeside Precinct (next to the cable stay bridge) would increase from 2,353m² to 3,862m² in size.

An additional 1,190m² Local Park is also proposed in the Town Centre East Precinct, plus some increases to the areas of Linear Parks, landscape buffers and walkable waterfront reserves.

These figures are subject to minor adjustment as the detail of the proposed master plan evolves.

Overall, the proposed Temporary Local Planning Instrument would enable a significant improvement in the amount, form and function of public open space provided in the town centre.

Revised town centre precinct descriptions

The proposed Temporary Local Planning Instrument includes changes to the descriptions of the town centre precincts, as summarised below:

General

- Inclusion of a provision requiring that residential development contributes to the supply of housing diversity and affordability.
- Inclusion of references to the Green Spine and opportunities for public art within a landscape setting.
- Inclusion of a provision requiring high quality buildings incorporating sub-tropical design excellence, exemplar sustainable design outcomes and climate responsive architecture.

Town Centre West Precinct

- Addition of commercial, community, industrial (being for health industry, research and technology industry and service industry) and residential uses to the description of this precinct.
- Inclusion of a reference to potential facilities that would support future public transport outcomes (for example, a "Park and Ride" facility).
- Inclusion of a reference to transit orientated development principles and replacing the words 'CoastConnect' with a reference to supporting the proposed Bus Rapid Transit along the coastal corridor from Maroochydore to Caloundra and the proposed heavy passenger rail connection from Beerwah to Maroochydore.

Town Centre East Precinct

- Change from envisaging continuous commercial uses fronting Kawana Way, to primarily non-residential uses along Kawana Way with appropriate façade treatments and landscaping, whilst providing building entries that present to key corners. This is to allow for some residential developments to also front Kawana Way, improving surveillance of bus rapid transit station and active transport links.
- The town square is replaced by the Green Spine, that is supported at ground level by residential and non-residential land uses that establish and foster a direct relationship with the adjoining public realm.
- Addition of a clause stating that, unless identified in the Master Plans for Detailed Planning Area 11, a Library/Learning Centre and Cultural Centre located adjacent to the Green Spine is envisaged, as part of a vertically integrated mixed-use building (refer to library options heading below for more details).
- Inclusion of part of the Green Spine comprising of a Neighbourhood Park and designed to cater for a range of civic and recreation opportunities in a landscape setting which includes a 500m² Civic Plaza, public artwork, bespoke park furniture and a pedestrian and bicycle network linking key desire lines.

Town Centre Lakeside (formerly Residential) Precinct:

- Renaming of Town Centre Residential to Town Centre Lakeside Precinct.
- Continuation of the Green Spine comprising a Precinct Park.

- Introduction of opportunities for a hotel and compatible residential or mixed-use land uses for the site facing north across the Precinct Park.

Statutory Process

It is recommended that the Council make a Temporary Local Planning Instrument to affect the operation of the *Development Control Plan 1 – Kawana Waters*.

A Temporary Local Planning Instrument enables a local government to quickly respond to changing and emerging planning issues by suspending or overriding the operation of the planning scheme. When a Temporary Local Planning Instrument is made, it has effect for two years, or a shorter period stated in the Temporary Local Planning Instrument, within which time Council must amend its planning scheme to incorporate the provisions of the Temporary Local Planning Instrument, in accordance with the process set down under the *Planning Act 2016* and the *Minister's Guidelines and Rules*.

The increasing severity of the housing crisis, the need to support economic development and the opportunities to capitalise on the stimulus of forthcoming significant investment in the Kawana Sports Precinct (prior to the Brisbane 2032 Olympic and Paralympic Games) provide reasons in support of making a Temporary Local Planning Instrument, which would:

- expedite the planning and delivery of well-located and well serviced housing that is diverse and affordable,
- promote the delivery of the Birtinya Town Centre to stimulate economic development and jobs growth on the Sunshine Coast, and
- take advantage of opportunities arising in the investment in the Kawana Sports Precinct in readiness for the Brisbane 2032 Olympic and Paralympic Games.

Under the *Planning Act 2016*, the statutory process for making a Temporary Local Planning Instrument does not involve public consultation. However, Council has chosen to undertake a public consultation on the proposal to gauge the views of the community. Consultation was conducted for 20 business days between 16 October and 12 November 2024. The outcomes of the community consultation are summarised in this report and discussed in more detail in the attached Consultation Report (**Attachment 2**).

Under the *Development Agreement*, Council has responsibility to facilitate the development outcomes envisaged under *Development Control Plan 1 – Kawana Waters*. In the context of the entire Kawana Waters master planned area, the proposed amendments in respect of the Birtinya Town Centre are relatively minor and remain consistent with the existing overall intent of the *Development Control Plan 1 – Kawana Waters* for the town centre.

Pursuing a planning scheme amendment process, rather than making Temporary Local Planning Instrument, would delay the provision of much needed additional housing (including affordable housing) by approximately 18 months and compromise the ability for high quality hotels to be delivered on Eastbank and in the town centre before the Brisbane 2032 Olympic and Paralympic Games.

As prescribed by section 23 of the *Planning Act 2016*, a Temporary Local Planning Instrument can be made if the Minister for Planning is satisfied that:

- there is a significant risk of serious environmental harm, or serious adverse cultural, economic, or social conditions happening in the planning scheme area,

- the delay involved in using the process in sections 18 to 22 to make or amend another local planning instrument would increase the risk; and
- the making of the TLPI would not adversely affect State interests.

On initial assessment, it is considered that the Council request for a Temporary Local Planning Instrument can adequately address each of the criteria. This has been the basis of Council officers' representations made to Departmental officers to date.

12th Deed of Variation to the Development Agreement – Summary of Key Outcomes

On 6 September 1996, the Council, the (then) Minister for Natural Resources, Kawana, and Buddina (Stockland) executed the *Development Agreement*. There have been 11 Deeds of Variation to the *Development Agreement*. The Development Agreement imposes obligations on Stockland in respect of the Town Centre and other localities within Kawana Waters.

On the basis it is now proposed to develop the town centre in a revised precinct format, it is necessary for the parties to the *Development Agreement* to vary the obligations (through the 12th Deed of Variation) to give effect to the revised town centre proposal.

A draft 12th Deed of Variation has been substantially completed following officer negotiation between Council and Stockland. A draft tracked-changes version of the *Development Agreement*, showing the changes that are proposed as part of the 12th Deed of Variation, is attached at **Appendix B**. The appendix is confidential as the draft 12th Deed of Variation is a legal agreement, which Council is party to, that is still being negotiated and has not yet been executed. When the 12th Deed of Variation is executed, *Development Agreement* (Consolidated up to and including the 12th Deed of Variation) will be published on Council's website.

Meetings have occurred with the Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development (and the predecessor Department) to assist State officers in understanding the variations to the *Development Agreement*, given that the Minister is a signatory to the Agreement.

Negotiations with Stockland in relation to the 12th Deed of Variation have secured in-principle agreement to the following:

- Facilitating the opportunity for a hotel to be developed on Council owned land opposite Sunshine Coast Stadium at Eastbank, to leverage off the recent announcement of a significant investment into the upgrade of the Stadium and new Indoor Sports Stadium. The location of the potential hotel site is shown on **Attachment 5**.
- Providing the ability for Council to deliver up to 50 affordable dwellings co-located with a future Library/Learning Centre and Cultural Centre on Council owned land located in North Birtinya.
- Enabling a minimum of 20% of the additional housing proposed in the town centre to be delivered as affordable housing.
- Providing the flexibility to reconsider the location and delivery mechanism for the Birtinya Library/Learning Centre and Cultural Centre, as outlined in this report.

- Providing the ability for a sports bar/restaurant, associated with a future boat storage facility, to be established on Council owned land on Eastbank adjacent to the Bokarina Beach Entrance Lake.
- Enabling Council to undertake future maintenance activities on the western waterway section of Lake Kawana through Stockland delivering marine access infrastructure, at no cost to Council.
- Facilitating installation of infrastructure (pits, poles, and pipes) in the town centre to support a smart city infrastructure network.
- Stockland covering Council's legal costs associated with progressing the planning frameworks amendments to facilitate the revised town centre plan.

This report recommends that a delegation of authority be granted to the Chief Executive Officer to draft, negotiate, finalise (and execute) the 12th Deed of Variation to the *Development Agreement*.

Further detail on the affordable housing provision and library delivery options are outlined below.

Affordable Housing

The current master plan for Birtinya Town Centre allows up to 1,333 dwellings with no requirement for any of them to be affordable. The proposed increase in residential yield provides an opportunity to secure delivery of affordable housing.

As part of the proposed amendments, it has been negotiated that a minimum 20% of the additional dwellings in the town centre (above what is already permitted) are to be provided as affordable housing.

There are two pathways proposed for meeting the 20% affordable target. One is to provide affordable housing based in general terms on section 43C of the *Planning Regulation 2017*, which typically would be in the form of social or public housing. The other is via "diversity through design", meaning developments would need to provide a mix of 1, 2 and 3-bedroom units, and have a certain proportion of units below a specified size, to ensure a proportion of the dwellings are more affordable.

It is important the town centre provides a mix of housing types, including housing that is affordable, as that is where the greatest unmet need is at present, which is leading to the current housing crisis. However, a large proportion of dwellings in the town centre will still be a more premium offering, resulting in a wide range of housing types and price points.

Library Options

Under the terms of the *Development Agreement*, Stockland have previously transferred to Council a 7,000m² land parcel at the northern end of Birtinya Island (North Birtinya), immediately south of the town centre, for a future regional level Library/Learning Centre and Cultural Centre. While funding is available in the Kawana Waters community development fund for this facility, it is not sufficient to cover the full cost of this facility. Based on Council's current libraries planning and capital works funding availability, it is unlikely a regional level Library/Learning Centre and Cultural Centre could be delivered by Council on the currently owned Birtinya site for at least 15 to 20 years.

The revised town centre proposal provides an opportunity for Council to consider alternatives that could result in the earlier delivery of a Birtinya Library/Learning Centre and Cultural

Centre, potentially at no cost to Council. Earlier delivery this facility would provide significant activation and placemaking opportunities for the new town centre.

One alternative is for Stockland to provide Council with appropriately sized floor space in a mixed-use building on a key site in the town centre, for a district level Library/Learning Centre and Cultural Centre, at no cost to Council. Council would own the strata lot as part of a community title scheme but would not own the land. This site would be adjacent to the proposed Civic Plaza.

Consideration of this alternative could include the transfer of Council's 7,000m² land parcel on Birtinya Island back to Stockland as a development lot and Stockland provide 3,000m² gross floor area in a mixed-use building, over two floors, for the purpose of a library/learning centre and cultural centre. Land and construction values are required to be fully investigated to ensure value proposition for Council and the community is achieved.

Once the new Birtinya Library/Learning Centre and Cultural Centre is established in either location (North Birtinya or Birtinya Town Centre), the existing Kawana library in Buddina would be repurposed into an alternative form of community space. The timing and funding of this work would also need to be considered as part of any future Council decision to change the location of the Birtinya Library/Learning Centre and Cultural Centre and its delivery mechanism.

The draft *12th Deed of Variation* includes a proposed clause which acknowledges that the location of the Birtinya Library/Learning Centre and Cultural Centre can be changed from North Birtinya to the town centre through a written agreement between Council and Stockland. Any proposal to change the location and delivery mechanism of the Library/Learning Centre and Cultural Centre would require a separate Council decision in future, where the details of the proposal, opportunities and risks, value proposition and community benefit would be considered. Under the current drafting of the agreement, there is no ability for an alternative location and/or delivery mechanism to be considered. The proposed clause in the *12th Deed of Variation* simply 'opens the door' to this possible future consideration but does not obligate Council to agree to any changes.

Kawana Waters Structure Plan – Summary of Key Proposed amendments

Once the operation of the *Development Control Plan No. 1 - Kawana Waters* is affected through the adoption of the proposed Temporary Local Planning Instrument, it is intended that steps be taken to amend the current *Kawana Waters Structure Plan* to reflect the key elements of the revised development format. A copy of the draft proposed amended *Kawana Waters Structure Plan* Development Criteria is provided at **Appendix C**. The appendix is confidential as the amended *Kawana Waters Structure Plan* has not been formally submitted for Council's consideration and is to be formally lodged after the proposed Temporary Local Planning Instrument is adopted. When an application to amend the *Kawana Waters Structure Plan* is formally made, it will be available for public inspection on Council's Development.i website.

These key elements proposed by an amendment to the *Kawana Waters Structure Plan* are:

- An increase to the maximum number of residential dwellings in the Town Centre (Detailed Planning Area 13) from 1,333 to 2,600, comprising:

- Up to 400 dwellings units being permitted in the Town Centre West Precinct, potentially above the future retail expansion on the northern half of the Shopping Centre site.
- Up to 1,497 dwelling units (an increase of 717 dwellings) in Town Centre East Precinct.
- Up to 640 dwelling units (an increase of 272 dwellings) in the Town Centre Lakeside (formerly Residential) Precinct.
- Up to 108 dwellings (unchanged from the current *Kawana Waters Structure Plan*) in the Town Centre South Precinct, which is already largely developed.
- No overall change to the maximum commercial yield, but a shift of the following to free up some space in the Town Centre East Precinct to accommodate a significant share of the additional Residential yield:
 - 10,730m² from Town Centre East Precinct to Town Centre West Precinct, allowing for better use to be made of the northern half of the Shopping Centre site, with commercial gross floor area above the future retail space; and
 - 2,805m² from Town Centre East Precinct to Town Centre Lakeside (formerly Residential) Precinct, allowing for a dining and small-scale retail precinct adjacent to the Precinct Park and the cable stay bridge landing, potentially as part of an integrated hotel development.
- The maximum Retail (Shopping Centre) yield remains unchanged at 20,000m².
- Simplification of how commercial yield is regulated, with a single pool of gross floor area for each precinct that is interchangeable between all commercial uses (except Shopping Centre). This replaces the former traffic-modelling led system of assigning specific maximum gross floor areas to a range of uses and having a conversion rate (based on traffic generation rates) to convert one use to another. The proposed simplified approach is land use planning led, rather than being based on traffic modelling. It has been reviewed from a traffic modelling perspective by internal and external experts and has been found to be acceptable.
- Introduction of an allowance for a small-scale Showroom in Town Centre West Precinct, where forming part of a mixed-use development with other uses above (not a stand-alone single storey development).

Table 2 below provides an outline of the key differences in land uses and yields between the current *Kawana Waters Structure Plan* and the proposed amended *Kawana Waters Structure Plan*. Refer to Maps 6 and 7 of the proposed Temporary Local Planning Instrument (**Appendix A**) for the locations of these precincts.

Table 2 - Summary of Structure Plan land use and yield changes

Precinct Location	Current max yield	Proposed max yield
Town Centre South Precinct	<ul style="list-style-type: none"> • Service station with ancillary car wash and drive thru food outlet • 6,500m² commercial premises, health industry and service industry • Residential uses - 120 rooming units OR 108 dwelling units. 	Unchanged
Town Centre West Precinct	<ul style="list-style-type: none"> • 20,000m² shopping centre • 11,920m² commercial premises, health industry, service industry and veterinary surgery • 500m² food outlet (not including drive thru facility), local store, restaurant, and shop • 400m² hospital and health care premises • 400m² vehicle hire premises 	<ul style="list-style-type: none"> • 20,000m² shopping centre (unchanged) • 23,950m² other commercial uses (a 10,730m² increase), with a cap of 600m² for Showroom and 1,000m² for Call Centre. • Residential uses – 400 dwelling units (an increase of 400 dwelling units)
Town Centre East Precinct	<ul style="list-style-type: none"> • 40,085m² commercial premises, function room, funeral parlour, health industry, and veterinary surgery • 2,500m² indoor recreation (cinema) • 2,000m² call centre • 1,000m² food outlet (not including a drive thru facility), local store, restaurant, and shop • 1,000m² indoor recreation (excluding cinema) • 1,000m² health care premises and hospital 	<ul style="list-style-type: none"> • 33,950m² commercial uses (a 13,635m² reduction) with a cap of 2,000m² for Call Centre. • Residential uses – 1,497 dwelling units (an increase of 717 dwelling units)

Precinct Location	Current max yield	Proposed max yield
	<ul style="list-style-type: none"> • Car park • Residential uses – 780 dwelling units 	
Town Centre Lakeside (formerly Residential) Precinct	<ul style="list-style-type: none"> • Residential uses – 368 dwelling units • 200m² local store, restaurant, and shop 	<ul style="list-style-type: none"> • Residential uses – 640 dwelling units (an increase of 272 dwelling units) • 3,005m² commercial uses (a 2,805m² increase)

The proposed amended *Kawana Waters Structure Plan* is supported in principle and is intended to be progressed to a formal application to be lodged by Stockland for Council’s consideration once the proposed Temporary Local Planning Instrument has been adopted. This report seeks a delegation to the Chief Executive Officer to take action to determine an application to amend the Kawana Waters Structure Plan.

Amendments to Detailed Planning Area Plans

Town Centre Detailed Planning Area Plan

Once the operation of *Development Control Plan No. 1 - Kawana Waters* is affected through the adoption of the proposed Temporary Local Planning Instrument, it is intended that the current Town Centre Detailed Planning Area Plan be amended to reflect the key elements of the revised development format. A copy of the draft proposed Detailed Planning Area Plan Maps and Tables of Development are provided at **Attachment 6**. The attachment is confidential as the amended Detailed Planning Area Plan is still being prepared and has not been formally lodged for Council’s consideration. It cannot be formally lodged until the proposed Temporary Local Planning Instrument is adopted. When an application to amend the Detailed Planning Area Plan is formally made, it will be available for public inspection on Council’s website.

Some conceptual architectural renders supplied by Stockland are included in **Attachment 7**, illustrating how the town centre could look in future, based on the design elements proposed within the amended Detailed Planning Area Plan.

These key elements proposed by an amendment to the Detailed Planning Area Plan are:

- Minimum residential yields raised to match the current maximum residential yields, thereby ensuring the revised town centre design accommodates at least as many dwellings as the current approval. Minimum commercial yields remain unchanged at approximately 45,000m² (excluding the shopping centre), ensuring the Town centre continues to accommodate a range of employment opportunities, as well as key services and facilities to service the growing population.
- A new, rationalised, layout of streets, open space, and development lots for Town Centre East and Lakeside (formerly Residential) Precincts.
- A new open space network incorporating 60% more public open space and replacing the former town centre square with the proposal for a Green Spine. The total area of

open space proposed is 2.437 hectares, compared to 1.363 hectares under the current approved Detailed Planning Area Plan. The revised open space network comprises:

- A Green Spine consisting of a 6,300m² Neighbourhood Park and a 3,800m² Precinct Park. A 500m² Civic Plaza as part of the Neighbourhood Park, within the green spine, to be a key community focal point within the town centre.
- A new 1,190m² Local Park in the Town Centre East Precinct.
- A 500m² transit thoroughfare (unchanged).
- A minimum 10m wide walkable waterfront reserve and an area of 9,500m² (largely unchanged).
- Linear Parks and landscape buffer strips totalling approximately 1,300m².
- A 4,370m² (6%) reduction in development lot area.
- A revised land use plan and accompanying tables of development, incorporating the following key changes:
 - Conversion from commercial to residential for some of the sites on the eastern side of Kawana Way south of the Avenue.
 - Spreading the proposed residential uplift across the residential and mixed-use sites, with each gaining a higher minimum and maximum residential yield.
 - The introduction of three key mixed use development sites, intended to have community, hospitality and retail uses at ground level with residential uses above. These are located adjacent to the Civic Plaza and on the northern and southern sides of the Precinct Park next to the cable stay bridge landing. The latter mixed-use site lends itself to an integrated hotel development, with ground level hospitality uses facing north across the park with views of the lake and cable stay bridge.
- A revised maximum building height map, allowing for up to 15-storey buildings within the town centre, with a lower 12 storey maximum building height for a minimum of 6 buildings on 6 sites.
- A new vision for the northern part of the shopping centre site, allowing for significant commercial gross floor area and up to 400 dwelling units, in addition to the remainder of the retail gross floor area. This will allow for more efficient use to be made of this key site, located adjacent to the future heavy rail and mass transit stations.
- A revised active transport design with key pedestrian and cycle routes through the town centre, in addition to the extended walkable waterfront network. In particular, the key active transport connections between the two pedestrian cycle bridges and the shopping centre / future public transport stations will accommodate a high-quality active transport design along the southern side of the Avenue, prioritising pedestrian, and cycle movements at key intersections.

Council officers are still reviewing the detail of the proposed amendments to the Detailed Planning Area Plan. Key aspects which have not yet been reviewed are the proposed built form controls (setbacks, site cover control etc.) for future development in the town centre. The draft maps and tables of development shown in **Attachment 6** are to provide an outline

of the work that has occurred to-date, but the revisions to the master plan are still a 'work in progress'.

The proposed amended Detailed Planning Area Plan is intended to be progressed to a formal application to be lodged by Stockland for Council's consideration once the proposed Temporary Local Planning Instrument has been adopted. This report seeks a delegation to the Chief Executive Officer to take action to determine an application to amend the Town Centre Detailed Planning Area Plan.

Amendment to Eastbank and Birtinya Island Detailed Planning Area Plans

If the proposed Temporary Local Planning Instrument is approved and adopted, it may trigger amendments to the Detailed Plans for Eastbank and Birtinya Island.

Amendments to the Eastbank Detailed Planning Area Plan will be necessary if a proposal for a hotel on the Council owned site opposite the stadium progresses. However, there is no current specific hotel proposal.

Should Council resolve to progress the proposed Temporary Local Planning Instrument and include an additional land use on the Council owned land opposite Sunshine Coast Stadium at Eastbank (Lot 204 on SP173816) to support the establishment of a hotel. Section 227 of the *Local Government Regulation 2012* will apply when disposing of an interest in land. Council is obligated to dispose of the land via auction or tender. Under Section 227 of the *Local Government Regulation 2012*, Council may first invite expressions of interest before considering whether to invite written tenders, which is the likely process for this site if Council were to progress investigating hotel development options for the site. Expressions of interest may only be invited if Council decides by resolution that it is in the public interest to do so.

Similarly for Birtinya Island, if a proposal to change the location and delivery mechanism of the Library/Learning Centre and Cultural Centre, or a proposal to take up the additional two storeys of building height on up to two key sites in North Birtinya is progressed, this will require amendments to the Detailed Planning Area Plan. Again, there are no specific proposals for either to occur at this time.

This report seeks a delegation to the Chief Executive Officer to determine any applications to amend those master plans in accordance with the changes proposed as part of the proposed Temporary Local Planning Instrument.

Transport Considerations

Further population and employment growth in the coastal corridor will cause inevitable change, challenging the travel needs and expectations of locals and visitors alike. Given current infrastructure investment levels, congestion-free roads, and a choice of parking spaces at popular destinations will become rarer in the decades ahead.

Alternative forms of movement and access must be developed to provide viable alternatives to the car. While continuing growth presents challenges, it also presents opportunities if it is managed effectively and is supported with convenient, sustainable, and reliable travel options.

The public transport corridors in the southern Sunshine Coast (**Figure 3**) will work together to cater for different types of trips, providing a comprehensive travel solution that meets the varied needs of the community. (Southern Sunshine Coast Public Transport Strategy, Qld Govt 2023).

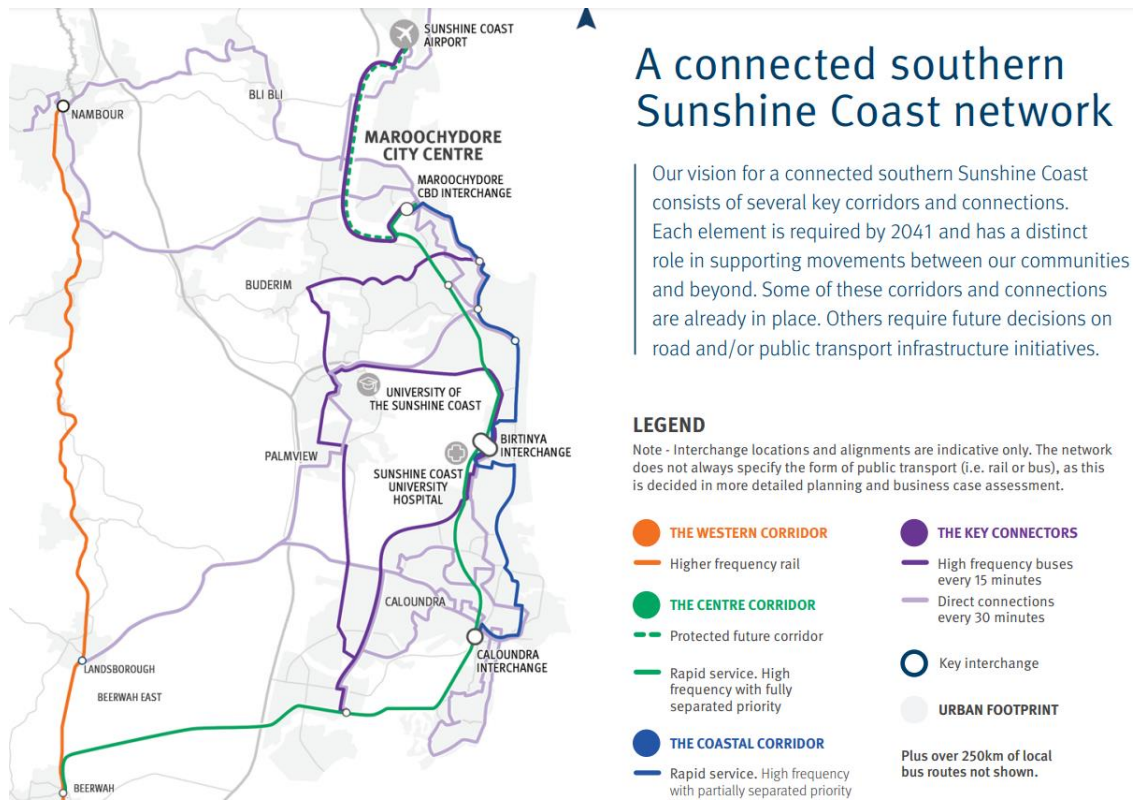


Figure 3 - Southern Sunshine Coast Public Transport Strategy (Department of Transport and Main Roads)

Passenger Transport

There are currently only three locations on the Sunshine Coast where both passenger rail (Direct Sunshine Coast Rail project) and bus rapid transport (Sunshine Coast Public Transport project) are planned to interface – at Caloundra, Birtinya, and Maroochydore City Centre. This planned investment in passenger transport in Birtinya provides opportunities to reassess land use planning and mode share targets.

The State has committed to constructing heavy rail to Caloundra, and to continuing its planning to enable the rail to extend to Birtinya by 2032, should funding be forthcoming. The new State Government has pledged to complete the heavy rail line to Maroochydore by 2032.

Transport efficient land use and minimising infrastructure cost

Surveys have shown that the growth of our region generates significantly more travel, reinforcing the need for infrastructure investment generally in our region. These surveys also show the car share of total trips by all modes averages about 87% and that location significantly affects mode shares. For the coastal corridor between Maroochydore and Caloundra, the share of total trips by car reduces from 87% to 80% of all trips. This is because the average length of trips in this corridor is reduced when compared with the average for the region, making active transport more competitive. It is acknowledged the greater density of trips allows for improved frequency of public transport and transport modelling forecasts that intensification of land use density further reduces reliance on cars.

Accordingly, it is appropriate to consider increasing the density of development around key nodes in the coastal corridor, particularly mixed-use activity centres such as Birtinya.

Intensifying residential densities in conjunction with maintaining appropriate levels of mixed-use and commercial development outcomes in the Birtinya Town Centre will assist with the

creation of a self-contained neighbourhood that contributes to reducing car use locally, and therefore improving the business cases for extending rail north from Caloundra and for improved bus services including bus rapid transit.

Initial transport modelling results

Transport modelling has been undertaken by Council in collaboration with the Department of Transport and Main Roads and Stockland for the ultimate design horizon (2041) to inform proposed Temporary Local Planning Instrument. SLR have produced a summary report of this modelling, which is included as **Attachment 8**.

The modelling has considered strategic-level mode choice of active transport and public transport with the operations of the regional road network.

The ultimate (2041) model scenario incorporates full build-out of the revised town centre yields and delivery of all regionally significant transport infrastructure (such as Kawana Motorway, Mooloolah River Interchange, Direct Sunshine Coast Rail and Sunshine Coast Public Transport).

The updated modelling has been compared to previously accepted modelling outputs for Birtinya Town Centre (as documented in the Kawana Town Centre Traffic Modelling Report prepared in 2017 by PWC). The previous modelling was based on a 2031 model scenario, where full build-out of the town centre was assumed to be achieved together with the regionally significant projects planned at the time being the Multi Modal Transport Corridor (MMTC), now separately referred to as Kawana Motorway and Direct Sunshine Coast Rail.

While the scenarios present different design years, they generally represent a full build out development scenario. The results are similar which is expected, despite the decade-gap in design horizons, given the overall changes in travel patterns and increase in work from home post-COVID and the addition of the Sunshine Coast Public Transport project.

The initial transport model is based on the ultimate configuration of the town centre, with all key state transport infrastructure projects in place. The various interim scenarios, without all or some of the State transport projects in place, and with the town centre at various stages of completion, will be looked at more closely as part of the assessment of the amendments to the *Kawana Waters Structure Plan*. The State may consider imposing staging conditions, to ensure the staging of the delivery of the town centre matches the delivery of State transport projects and does not cause any unacceptable impacts on the existing transport network before new state transport infrastructure projects are completed.

Issues for investigation as part of subsequent detailed transport modelling

To support the proposal for increased density in Birtinya Town Centre, additional transport modelling will be required to identify network improvements. This will assist in improving network resilience by providing network permeability within the town centre. This work will be undertaken as part of the assessment of the proposed amendments to the *Kawana Waters Structure Plan*.

The following aspects require investigation as part of the traffic studies to support the proposal:

- Access to key sites in the Birtinya Town Centre should be located to reduce flows through key intersections and to reduce the potential for vehicle queuing back onto key roads like Kawana Way.

- The number of parking bays, the location of access to and the operation of public parking stations needs to be carefully managed and the staging of parking provision should be considered to avoid the oversupply of parking and influence travel habits to encourage active and public transport use.
- The location and direction of ramps to the future Kawana Motorway is essential to balance the conflicting outcomes of limiting local use of Kawana Motorway with improving the amenity, safety, and efficiency of Kawana Way (avoiding another Nicklin Way style road).

Legal

The *Planning Act 2016* and the *Minister's Guidelines and Rules 2024* sets out the process that a local government must follow when making a Temporary Local Planning Instrument. The proposed Temporary Local Planning Instrument has been prepared in accordance with the statutory process and has included an additional informal community consultation phase.

The proposed Temporary Local Planning Instrument is considered compatible with the human rights under the *Human Rights Act 2019*. A Human Rights Compatibility Assessment has been prepared as part of the preparation of this report (**Attachment 9**). Consideration has been given to the interaction of this decision with the following human rights:

- Recognition and equality before the law.
- Freedom of expression.
- Taking part in public life.
- Property rights.
- Privacy and reputation.
- Protection of families and children.
- Cultural rights – Aboriginal peoples and Torres Strait Islander peoples.

Any perceivable limitations on human rights are considered justifiable, due to the critical need for additional well-located housing, including affordable housing options, on the Sunshine Coast to address the current housing crisis.

Council's lawyers have assisted officers in drafting and reviewing the proposed Temporary Local Planning Instrument, 12th Deed of Variation, Planning Scheme Amendment Instrument, and amendments to the *Kawana Waters Structure Plan*. Should Council approve the recommendation of this report, they will continue to assist officers in the progression of these documents through to adoption.

Policy

This report and its recommendations are consistent with the current policy and planning intentions for the development of the Kawana Waters Master Planned Community.

Risk

The risks of Council not proceeding with the proposed Temporary Local Planning Instrument or the Minister for State Development, Infrastructure and Planning not supporting it, are as follows:

- Council would need to propose, pursuant to section 18 (Making or amending planning schemes) or section 20 (Amending planning schemes under Minister's rules) of the *Planning Act 2016*, an amendment to the *Development Control Plan No. 1 - Kawana Waters* in accordance with the intent proposed by the proposed Temporary Local Planning Instrument. This would lead to significant delays in the approval of future master plans whilst the formal amendment process (potentially in the order of 18 months) is being undertaken.
- A delay in the delivery of much needed additional housing that is well located in relation to employment opportunities, services, facilities, and transport infrastructure.
- The planning for this area will not align with the delivery of the forthcoming upgrades to the Kawana Sports Precinct and significant business investment opportunities may be lost which is not in the public interest of the local government area.
- A lack of certainty for planning and delivery for land uses within the town centre.

Previous Council Resolution

Special Meeting 31 October 2016 (SM16/24)

At the Special Confidential Meeting on 31 October 2016, the Council resolved as follows:

That Council:

- (a) note the discussions and delegate to the Chief Executive Officer to proceed as discussed in confidential session and*
- (b) delegate to the Chief Executive Officer to propose to make, prepare and progress the statutory process required under the Sustainable Planning Act 2009 for the making of a Temporary Local Planning Instrument as discussed in confidential session.*

Special Meeting 24 November 2014 (SM14/34)

At the Special Meeting of 24 November 2014, the Council resolved as follows:

That Council:

- (a) note the discussions and delegate to the Chief Executive Officer to proceed as discussed in confidential session*
- (b) delegate to the Chief Executive Officer to propose to make, prepare and progress the statutory process required under the Sustainable Planning Act 2009 for the making of a Temporary Local Planning Instrument as discussed in confidential session.*

Ordinary Meeting 15 November 2012 (OM12/180)

At the Ordinary Meeting of 15 November 2012 the Council resolved as follows:

That Council:

- (a) propose to prepare a Temporary Local Planning Instrument No.2 (Caloundra City Planning Scheme 1996) 2012;*
- (b) delegate authority to the Chief Executive Officer to take the following action:*
 - (i) draft a Temporary Local Planning Instrument;*
 - (ii) give to the Minister for State Development and Infrastructure Planning the following:*

1. *a copy of the proposed Temporary Local Planning Instrument;*
 2. *written advice about why the local government proposes to make the*
 3. *proposed Temporary Local Planning Instrument;*
- (c) *upon receiving advice from the Minister for State Development and Infrastructure Planning that the Council may adopt the proposed Temporary Local Planning Instrument, delegate authority to the Chief Executive Officer to take the following action:*
- (i) *adopt the proposed Temporary Local Planning Instrument;*
 - (ii) *comply with any conditions imposed by the Minister for State Development and Infrastructure Planning;*
 - (iii) *under Step 4 of the process to make a temporary local planning instrument set out in Statutory Guideline 02/09 (Making or amending local planning instruments) (Statutory Guideline 02/09), place a notice in a local newspaper, the Government Gazette and on the Council website stating the relevant information regarding the Temporary Local Planning Instrument;*
 - (iv) *give to the Chief Executive of the Department of State Development and Infrastructure Planning a copy of the notice and three certified copies and one electronic copy of the Temporary Local Planning Instrument;*
- (d) *delegate authority to the Chief Executive Officer to follow the process under the Sustainable Planning Act 2009 for amending a planning scheme to reflect the provisions of the Temporary Local Planning Instrument in the planning scheme;*
- (e) *delegate authority to the Chief Executive Officer to negotiate, implement and finalise (including execute) a Deed of Variation to the Kawana Waters Development Agreement; and*
- (f) *delegate authority to the Chief Executive Officer to determine an application for a master plan or an amendment of a master plan application in accordance with the Kawana Waters Development Documents.*

Special Meeting 26 September 2011 (SM 11/55)

At the Special Meeting of 26 September 2011, the Council resolved as follows:

That Council:

- (a) *propose to prepare a Temporary Local Planning Instrument No.1 (Caloundra City Council Planning Scheme 1996) 2011*
- (b) *delegate authority to the Chief Executive Officer to:*
 - i. *draft a Temporary Local Planning Instrument; and*
 - ii. *give to the Minister for Local Government and Planning*
 1. *a copy of the proposed Temporary Local Planning Instrument; and*
 2. *written advice about why the local government proposes to make the proposed Temporary Local Planning Instrument; and*
- (c) *upon advice from the Minister for Local Government and Planning that the Council may adopt the proposed Temporary Local Planning Instrument, delegate authority to the Chief*

Executive Officer to comply with any conditions imposed by the Minister for Local Government and Planning; and

- (d) delegate authority to the Chief Executive Officer to adopt the proposed Temporary Local Planning Instrument; and*
- (e) delegate authority to the Chief Executive Officer to:*
 - i. under Step 4 of Statutory Guideline 02/09 (Making and amending local planning instruments), place a notice in a local newspaper, the Government Gazette and on the Council website regarding the Temporary Local Planning Instrument; and*
 - ii. give the Chief Executive of the Department of Local Government and Planning 3 certified copies and one electronic copy of the Temporary Local Planning Instrument.*

Special Meeting 7 December 2010 (SM10/90)

At the Special Meeting of 7 December 2010, the Council resolved as follows:

That Council:

- (a) delegate authority to the Chief Executive Officer to modify the policy position of Council resolved at the Special Meeting of 6 May 2009 in respect of the endorsed Kawana Position Paper and to negotiate, implement and finalise (including execution) changes to the Kawana Waters Development Agreement and other Kawana Waters Development Documents*
- (b) delegate authority to the Chief Executive Officer to prepare and progress proposed planning scheme amendments in accordance with the Sustainable Planning Act 2009*
- (c) delegate authority to the Chief Executive Officer to give public notice of the proposed planning scheme amendments in accordance with the Sustainable Planning Act 2009, if the Chief Executive Officer is satisfied that the Minister's conditions do not significantly change the policy position contained in the proposed planning scheme amendments*
- (d) delegate authority to the Chief Executive Officer to negotiate, implement and finalise (including execution) any infrastructure agreement or other legal document in respect of the ongoing future management and maintenance of roads within the Kawana Town Centre, where resolution of access, social equity, maintenance and other public interest matters can be achieved to the satisfaction of the Chief Executive Officer*
- (e) delegate authority to the Chief Executive Officer to determine an application for a master plan or an amendment of a master plan application in accordance with the Kawana Waters Development Documents*
- (f) delegate authority to the Chief Executive Officer to take all necessary action including action under the Sustainable Planning Act 2009 to progress the development of the educational establishment activities associated with a TAFE and*
- (g) note that further detailed consideration of the Bokarina Beach Master Plan (detailed planning area plan) will be considered at a future meeting specifically addressing issues such as:*
 - (i) the environmental values and management options for the Bokarina Wetland and the wetlands future*

- (ii) *the proportion of tourism accommodation in the medium density precincts and*
- (iii) *the overall urban design and architectural standards for the public realm and built form components.*

Related Documentation

- *Development Agreement*
- *1996 Caloundra Planning Scheme*
- *Development Control Plan 1 - Kawana Waters*
- *Kawana Waters Structure Plan*
- *Shaping SEQ 2023*

Critical Dates

There are no statutory timeframes for the preparation of the proposed Temporary Local Planning Instrument. However, the increasing severity of the housing crisis and the need to support economic development and the opportunities to capitalise on the stimulus of the forthcoming investments into Kawana Sports Precinct provide reasons in support of progressing the proposed Temporary Local Planning Instrument expeditiously.

The alternative to a Temporary Local Planning Instrument is the standard planning scheme amendment process which would take longer, meaning insufficient time for Olympics related development to be completed before 2032, and a slower response to the housing crisis, which demands urgent action.

Implementation

Should the recommendation be accepted by Council, it is noted that the Chief Executive Officer is to take the following action:





- (a) give to the Minister for State Development, Infrastructure and Planning the following:
 - (i) a copy of the proposed Temporary Local Planning Instrument (**Appendix A**)
 - (ii) the required material in Schedule 3 of the *Minister's Guidelines and Rules*, which includes a statement including why Council proposes to make a Temporary Local Planning Instrument and how the proposed Temporary Local Planning Instrument complies with section 23(1) and (2) of the *Planning Act 2016*
- (b) upon receiving a notice from the Minister for State Development, Infrastructure, Local Government and Planning to:
 - (i) comply with any conditions stated by the Minister for State Development, Infrastructure and Planning
 - (ii) decide to adopt the proposed Temporary Local Planning Instrument
 - (iii) publish a public notice in accordance with the requirements of the *Planning Act 2016* and as prescribed in Schedule 5 of the *Minister's Guidelines and Rules*

- (iv) within 10 days of adopting the proposed Temporary Local Planning Instrument, give the Minister for State Development, Infrastructure and Planning a copy of the public notice and a certified copy of the Temporary Local Planning Instrument as made, including an electronic copy of the instrument, and a copy of all electronic planning scheme spatial data files (mapping) relevant to the Temporary Local Planning Instrument
- (c) follow the process under the *Planning Act 2016* for amending a planning scheme to reflect the provisions of the Temporary Local Planning Instrument in the planning scheme
- (d) draft, negotiate, finalise and execute a Deed of Variation to the *Development Agreement*, generally reflecting the changes to the *Development Agreement* illustrated in Appendix B
- (e) endorse as approved a revised traffic modelling report for the Kawana Town Centre, following the receipt of a written acceptance of the report by the Department of Transport and Main Roads
- (f) determine an application to amend the Kawana Waters Structure Plan following the endorsed approval of a revised Kawana Waters Town Centre Traffic Modelling Report, generally reflecting the changes illustrated in Appendix C and
- (g) determine an application for a master plan, or an amendment for a master plan, to generally reflect the changes outlined in this report, in relation to the following:
 - Detailed Planning Area Plans for:
 - DPA 1 - Eastbank / Regatta
 - DPA 11 – Birtinya Island
 - DPA 13 – Kawana Town Centre
 - Site Development Plans for:
 - DPA 1 - Eastbank / Regatta (relating to Precincts 8 and 13)
 - DPA 11 – Birtinya Island for areas north of Lake Kawana Boulevard
 - DPA 13 – Kawana Town Centre.

8.4 DECEMBER 2024 FINANCIAL PERFORMANCE REPORT

File No: Council Meetings

Author: Coordinator Financial Services
Business Performance Group

Attachments: Att 1 - December 2024 Financial Performance Report..... 313  
Att 2 - December 2024 Capital Grant Funded Project Report 325  

PURPOSE

To meet Council's legislative obligations, a monthly report must be presented to Council on its financial performance and investments.

EXECUTIVE SUMMARY

This monthly financial performance report provides Council with a summary of performance against budget as at 31 December 2024, in terms of the operating result and delivery of the capital program.

Operating Performance

Table 1: Operating Budget as at 31 December 2024

	Original Budget \$000	Current Budget \$000
Total Operating Revenue	610,085	620,020
Total Operating Expenses	587,086	616,224
Operating Result	22,999	3,796

Table 2: Operating Result as at 31 December 2024

	Year to Date Actuals November 2024 \$000	Year to Date Budget December 2024 \$000	Year to Date Actuals December 2024 \$000
Total Operating Revenue	303,172	319,335	319,393
Total Operating Expenses	246,387	300,829	300,006
Operating Result	56,785	18,506	19,386
Total Cash Balance	177,919	133,832	139,014

Details of the monthly financial report are contained in **Attachment 1**.

OFFICER RECOMMENDATION

That Council receive and note the report titled “December 2024 Financial Performance Report”.

FINANCE AND RESOURCING

This report sets out the details of Council’s financial performance and investments for the month ending 31 December 2024, and meets Council’s legislative reporting requirements.

CORPORATE PLAN

Corporate Plan Goal: ***Our outstanding organisation***

Outcome: We serve our community by providing this great service

Operational Activity: S28 - Financial and procurement services – financial and procurement management and governance, ensuring effective business management and legislative compliance, coordination and development of Council’s budget process, administration of financial systems, sundry debtors, accounts payable, financial and asset accounting, treasury, procurement, contract and supply functions.

CONSULTATION

Councillor Consultation

Consultation has been undertaken with the Portfolio Councillors, E Hungerford and J Broderick.

Internal Consultation

This report has been written in conjunction with advice from:

- Chief Executive Officer
- Acting Group Executive Business Performance
- Chief Financial Officer

External Consultation

No external consultation is required for this report.

Community Engagement

No community engagement is required for this report.

Legal

This report ensures that Council complies with its legislative obligations with respect to financial reporting in accordance with Section 204 of the *Local Government Regulation 2012*.

Investment of funds is in accordance with the provisions of the *Statutory Bodies Financial Arrangements Act 1982* and the associated Regulations and the *Local Government Act 2009*.

Policy

Sunshine Coast Council's 2024-25 Investment Policy, and
Sunshine Coast Council's 2024-25 Debt Policy.

Risk

The 2024-25 budget has been developed to ensure long term financial sustainability for the Sunshine Coast region. A key element to long term financial sustainability is achieving the targeted operating result.

Council's operating result includes savings initiatives of \$9.9 million, with \$8.1 million attributed to the Employee Vacancy Rate. Failure to achieve the budgeted operating result will negatively impact Council's financial sustainability both in the short term and long term.

Continued monitoring of the delivery of the capital works program within budgeted scope and cost.

Previous Council Resolution**Special Meeting 20 June 2024 (OM24/4)**

That Council:

1. *STATEMENT OF ESTIMATED FINANCIAL POSITION*

receive and note Appendix A, pursuant to section 205 of the Local Government Regulation 2012, the statement of the financial operations and financial position of the Council in respect to the 2023-24 financial year.

2. *ADOPTION OF BUDGET*

adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's budget for 2024-25 financial year incorporating:

- i. the statement of income and expenditure*
- ii. the statement of financial position*
- iii. the statement of changes in equity*
- iv. the statement of cash flow*
- v. the relevant measures of financial sustainability*
- vi. the long-term financial forecast*
- vii. the Debt Policy (adopted by Council resolution on 30 May 2024)*
- viii. the Revenue Policy (adopted by Council resolution on 30 May 2024)*
- ix. the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*

- x. *the Revenue Statement*
- xi. *Council's 2024-25 Capital Works Program, endorsing the indicative four-year program for the period 2026 to 2029, and noting the five-year program for the period 2030 to 2034*
- xii. *the rates and charges to be levied for the 2024-25 financial year and other matters as detailed below in clauses 3 to 10*
- xiii. *the 2024-25 Minor Capital Works Program*
- xiv. *the Strategic Environment Levy Policy*
- xv. *the Strategic Arts and Heritage Levy Policy*
- xvi. *the Strategic Transport Levy Policy and*
- xvii. *Prescribed Services Charge Plan (No. 2) 2024-25 Financial Year.*

Ordinary Meeting 26 September 2024 (OM24/82)

That Council:

- (a) *receive and note the report titled "Budget Review 1 – 2024-25" and*
- (b) *adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2024-25 financial year incorporating:*
 - i. *the statement of income and expenditure*
 - ii. *the statement of financial position*
 - iii. *the statement of changes in equity*
 - iv. *the statement of cash flow*
 - v. *the relevant measurers of financial sustainability*
 - vi. *the long-term financial forecast*
 - vii. *Council's 2024-25 Capital Works Program, endorse the indicative four-year program for a period 2026 to 2029, and note the five-year program for the period 2030 to 2034*
- (c) *note the following documentation applies as adopted 22 June 2024*
 - i. *the Debt policy*
 - ii. *the Revenue policy*
 - iii. *the total value of change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget*
 - iv. *the Revenue statement*
 - v. *the rates and charges to be levied for the 2024-25 financial year and other matters as adopted 22 June 2024*
 - vi. *the Strategic Environment Levy Policy*
 - vii. *the Strategic Arts and Heritage Levy Policy*

- viii. *the Strategic Transport Levy Policy*
- ix. *Prescribed Services Charge Plan (No. 2) 2024-25 Financial Year and*
- (d) *endorse the Minor Capital Works Program (Appendix B)*

Ordinary Meeting 12 December 2024 (OM24/124)

That Council:

- (a) *receive and note the report titled "Budget Review 2 2024-25"*
- (b) *adopt Appendix A as tabled, pursuant to sections 169 and 170 of the Local Government Regulation 2012, Council's amended budget for 2024-25 financial year incorporating:*
 - (i) *the statement of income and expenditure*
 - (ii) *the statement of financial position*
 - (iii) *the statements of changes in equity*
 - (iv) *the statement of cash flow*
 - (v) *the relevant measures of financial sustainability*
 - (vi) *the long-term financial forecast*
 - (vii) *Council's 2024-25 Capital Works Program, endorse the indicative four-year program for the period 2026 to 2029, and note the five-year program for the period 2030 to 2034*
 - (viii) *the Debt Policy*
- (c) *note the following documentation applies as adopted 20 June 2024*
 - (i) *the Revenue Policy*
 - (ii) *the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget, and*
 - (iii) *the Revenue Statement*
 - (iv) *the rates and charges to be levied for the 2024-25 financial year and other matters as adopted 20 June 2024*
 - (v) *the Strategic Environment Levy Policy*
 - (vi) *the Strategic Arts and Heritage Levy Policy*
 - (vii) *the Strategic Transport Levy Policy*
 - (viii) *Prescribed Services Charge Plan (No. 2) 2024-25 Financial Year and*
- (d) *endorse the 2024-25 Minor Capital Works Program (Appendix B).*

Related Documentation

2024-25 Adopted Budget

Critical Dates

There are no critical dates for this report.

Implementation

There are no implementation details to include in this report.

8.5 ORGANISATIONAL STRUCTURE - PHASE ONE AMENDMENT

File No: Council Meetings
Author: Chief Executive Officer
Office of the Chief Executive Officer

PURPOSE

This report proposes an amendment to the current organisational structure for Sunshine Coast Regional Council. This is the first phase of reviewing and re-aligning the organisation structure.

It is expected that further changes will occur to maximise the alignment between Council's Corporate Plan and the optimal structure to support it.

The timing of this proposed amendment aligns with Council's current financial priorities and budget cycle. Overall, this organisational re-alignment will be cost neutral and achieve efficiencies.

EXECUTIVE SUMMARY

Following the commencement of Council's Chief Executive Officer (CEO) in December 2024, a priority task for the Chief Executive Officer is to ensure Council's operating model supports its deliverables, including policy; programs; and core operations.

In undertaking this task, the Chief Executive Officer has identified a gap in the provision of strategic financial insights to assist in executive decision making. It is crucial that strong financial leadership is present at the executive level. To address this, the creation of a Chief Financial Officer position as a member of the Executive Leadership Team (ELT) is proposed.

The composition of Council's Executive Leadership Team does not currently include a Chief Financial Officer. A Chief Financial Officer position previously existed in the organisation structure, however it was not within the Executive Leadership Team and resided at Manager level within the Business Performance Group. This position has now been re-named to Finance Manager.

The inclusion of the position of Chief Financial Officer within the Executive Leadership Team will strengthen financial leadership and better inform executive decision-making.

OFFICER RECOMMENDATION

That Council:

- (a) Receive and note the report titled "Organisational Structure - Phase One Amendment "**
- (b) Resolve in accordance with section 196 (1) of the *Local Government Act 2009* to adopt a new organisational structure for the Sunshine Coast Regional Council that includes the position of Chief Financial Officer within Council's Executive Leadership Team and**
- (c) Authorise the Chief Executive officer to proceed with the implementation of the amendment as outlined in (b) above.**

FINANCE AND RESOURCING

The costs associated with the proposed amendment to the organisational structure will be neutral and managed within the existing operational budget of Council.

The creation of the Chief Financial Officer position within the Executive Leadership Team will be funded from savings realised in future phases of reviewing and re-aligning the organisation structure, initial savings include placing an immediate temporary pause on recruitment.

CORPORATE PLAN

Corporate Plan Goal: *Our outstanding organisation*
Outcome: We serve our community by providing this great service
Operational Activity: S30 - Governance – providing internal leadership, legal opinion, governance and audit functions ensuring legislative accountability, transparency and ethical obligations are supported.

Corporate Plan Goal: *Our outstanding organisation*
Outcome: We serve our community by providing this great service.
Operational Activity: S31 - People and Culture – partner with the organisation to inspire an environment for great leadership and people capability to build on our outstanding organisation for today and the future.

CONSULTATION

Councillor Consultation

The proposed amendment to the organisational structure has been developed in consultation with the Executive Leadership Team and Head of People & Culture.

Mayor and Councillors have been briefed on this proposal.

Internal Consultation

Council's Certified Agreement (Salaried Officers Certified Agreement 2023) requires that where Council decides to introduce major changes in structure that are likely to have significant effects on employees, Council will notify employees who may be affected by the changes and the relevant Unions.

This amendment to the organisational structure is not considered to result in significant effects on employees.

The Executive Leadership Team and Head of People and Culture have been consulted in relation to the proposed amendment to the organisational structure.

External Consultation

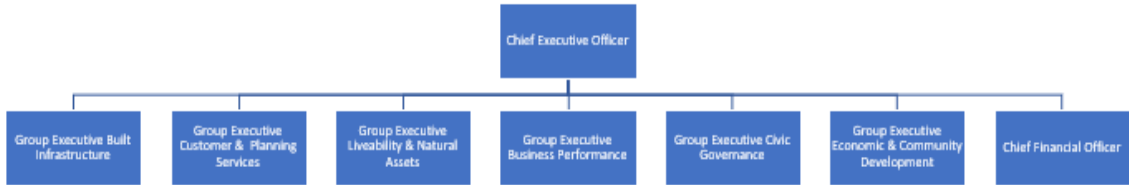
The proposed amendment to the organisational structure is primarily focused on the internal operations of Council, and specifically the Executive Leadership Team. External consultation was not considered necessary.

Community Engagement

No external community engagement was required for the preparation of this report.

PROPOSAL

As Sunshine Coast Council navigates an increasingly complex business environment, it is crucial to have strong financial leadership at the highest level. To achieve this, the creation of a Chief Financial Officer position as a member of the Executive Leadership Team (ELT) is proposed, as shown below:



The position of Chief Financial Officer within the Executive Leadership Team is a strategic move that will strengthen financial leadership and better inform executive decision-making.

The Chief Financial Officer position will have responsibility for functions that align with the remit of the position which may include procurement and commercial functions. This will be finalised by the Chief Executive Officer and Executive Leadership Team as part of the implementation of the position and as the successful incumbent forms an appropriate team.

Messaging has been disseminated within the organisation in relation to an immediate temporary pause on recruitment, which is to ensure there are opportunities for employee re-deployment in subsequent phases of the organisational realignment. This includes the process for the Executive Leadership Team to consider and assess any critical positions identified for recruitment in order to ensure business and service continuity.

Legal

Section 196 (1) of the *Local Government Act 2009* requires that a local government must, by resolution, adopt an organisational structure that is appropriate to the performance of the local government’s responsibilities.

Policy

The proposed amendment to Council’s organisational structure will be implemented in accordance with Council’s obligations under the Certified Agreement (Salaried Officers Certified Agreement 2023) and in line with relevant Council policies.

Risk

The implementation of the proposed amendment to the organisational structure will assist in strengthening the financial leadership and enhance executive decision making, both of which are key areas of risk for any public sector organisation.

The proposed amendment to the organisational structure does not constitute a significant change to the Council administration as a whole. There will be minimal change or disruption to the working arrangements for the majority of staff in the organisation.

There is a risk related to the funding for the proposed amendment. Specifically, as the funding is future savings there is a risk that the timing of savings may not align with costs expended in establishing this position in the 2024/2025 financial year.

This risk will be mitigated by savings in future phases of reviewing and re-aligning the organisation structure, including placing an immediate temporary pause on recruitment.

There are considerations around the risks that relate to employee morale, arising from organisational re-alignment and temporary recruitment pause.

This will be mitigated by the planned change management process and employee communications, which will focus on maximising the opportunities for re-deployment for those officers that may be affected in future phases of the organisational re-alignment.

Previous Council Resolution

Ordinary Meeting 28 July 2022 Council Resolution OM22/58

That Council:

- (a) *receive and note the report titled "Revised Organisation Structure"*
- (b) *resolve in accordance with section 196 (1) of the Local Government Act 2009 to adopt a new organisational structure for the Sunshine Coast Regional Council comprising:*
 - (i) *the following six service groups -*
 - *Built Infrastructure Group*
 - *Business Performance Group*
 - *Civic Governance Group*
 - *Customer and Planning Services Group*
 - *Economic and Community Development Group*
 - *Liveability and Natural Assets Group*
 - (ii) *a small unit to be named "CEO Support Services" to provide executive, administrative and logistical support to the Chief Executive Officer and*
- (c) *authorise the Chief Executive Officer to proceed with the implementation arrangements outlined in this report to give effect to the new organisational structure as outlined in (a) above.*

Special Meeting 19 September 2017 Council Resolution SM17/43

That Council:

- (a) *adopt in accordance with the Local Government Act 2009 an organisational structure comprising:*
 - *Business Performance Group*
 - *Customer Engagement and Planning Services Group*
 - *Liveability and Natural Assets Group*
 - *Built Infrastructure Group*
 - *Economic and Community Development Group*
 - *Office of the Mayor and the Office of the Chief Executive Officer*

- (b) *authorise the Chief Executive Officer to implement the necessary changes to ensure the new organisational structure (per (a) above) is implemented on a phased basis with the Chief Executive Officer's actions to include the following:*
- (i) *undertaking in the first instance, a closed merit selection process (for existing Directors) for consideration for the Group Executive positions*
 - (ii) *including the Mayor and Deputy Mayor in the assessment, selection and endorsement process for Group Executive positions*
 - (iii) *appointing successful applicants to the Group Executive positions*
 - (iv) *progressing the development of Group structures and making appointments*
 - (v) *ensuring that any adjustments to Group and/or Branch functions and structures necessary to facilitate implementation of the overall organisation structure are generally in accordance with the structure as per (a) above*
- (c) *authorise the Chief Executive Officer to progress organisational development opportunities and initiatives that enhance strategic positioning and capabilities*
- (d) *authorise the Chief Executive Officer to progress implementation of the recommendations contained the Sunshine Coast Council Next Steps Report*
- (e) *request the Chief Executive Officer to advise staff of the new organisation structure as soon as practicable following Council's decision*
- (f) *authorise the Chief Executive Officer to make public the Sunshine Coast Council Next Steps Report as soon as practicable following the Council Special Meeting and ensure staff are advised in advance of any public announcements and*
- (g) *endorse the Mayor and Chief Executive Officer as Council's spokespersons regarding the new organisation structure and related matters.*

Special Meeting 6 June 2013 (SM13/11) Confidential item

That Council:

- (a) *adopt in accordance with the Local Government Act 2009 an organisation structure comprising*
- *Corporate Strategy and Delivery Department*
 - *Corporate Services Department*
 - *Community Services Department*
 - *Infrastructure Services Department*
 - *Regional Strategy and Planning Department*
- (b) *authorise the Chief Executive Officer to implement the necessary changes to ensure the new organisation structure (refer (a) above) is implemented*
- (c) *request the Chief Executive Officer to advise staff of the revised organisation structure as soon as practicable following council's decision and*
- (d) *endorse the Mayor and Chief Executive Officer as council's spokespersons regarding the new organisation structure and related matters.*

Related Documentation

Local Government Act 2009

Sunshine Coast Council Corporate Plan 2024 - 2028

Critical Dates

There are no critical dates associated with this report, however if adopted by Council, implementation will be a priority for the Chief Executive Officer and Executive Leadership Team.

Implementation

Subject to Council resolving to adopt the proposed new organisational structure, the Chief Executive Officer will:

- Communicate to all staff Council's resolution
- Establish the position of Chief Financial Officer, within the Executive Leadership Team and initiate a robust recruitment and selection process for an appropriately qualified Chief Financial Officer
- Consider which functions should reside within the responsibility of the Chief Financial Officer
- Provide messaging within the organisation in relation to the pause on recruitment, including the intention of this action, which is to ensure opportunities for re-deployment in subsequent phases of the organisational realignment and
- Implement a process to enable the Executive Leadership Team to review and assess any critical positions identified for recruitment in order to ensure business and service continuity.

9 NOTIFIED MOTIONS

10 TABLING OF PETITIONS

Petitions only eligible for submission if:

- * Legible
- * Have purpose of the petition on top of each page
- * Contain at least 10 signatures
- * Motion limited to:
 - Petition received and referred to a future meeting
 - Petition received and referred to the Chief Executive Officer for report and consideration of recommendation
 - Petition not be received

11 CONFIDENTIAL SESSION

12 NEXT MEETING

The next Ordinary Meeting will be held on 27 February 2025.

13 MEETING CLOSURE