

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:**
Att 1 - Detailed Assessment Report  **5/128**
Att 2 - Proposal Plans **55/128** 
Att 3 - Concurrence Agency Response **103/128** 
Att 4 - Submissions Map **113/128** 
Att 5 - Council 3D Model Images **115/128** 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: *Our service excellence*

Outcome:

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	 
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	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	<i>Flood Emergency Management Plan</i> , prepared by Covey Associates Pty Ltd	June 2024
Amendments	<ul style="list-style-type: none"> The Phase 2 triggers must be amended as follows: <ol style="list-style-type: none"> Insert trigger based on minor, moderate or major flood warning Insert trigger based on severe thunderstorm warning Insert trigger based on water level at Yandina Ck AL Insert trigger based on water level at Dunethin Rock AL The Phase 2 Property manager's responsibilities must be amended as follows: <ol style="list-style-type: none"> Monitoring of all triggers 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)
SEQR 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:

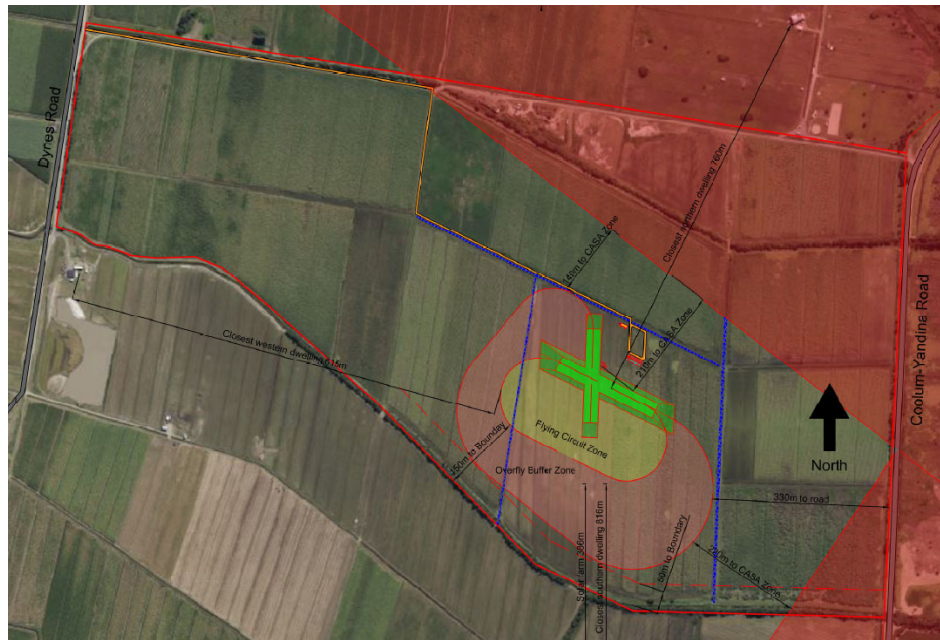


Figure 1: Site Plan



Figure 2: Earthworks Plan

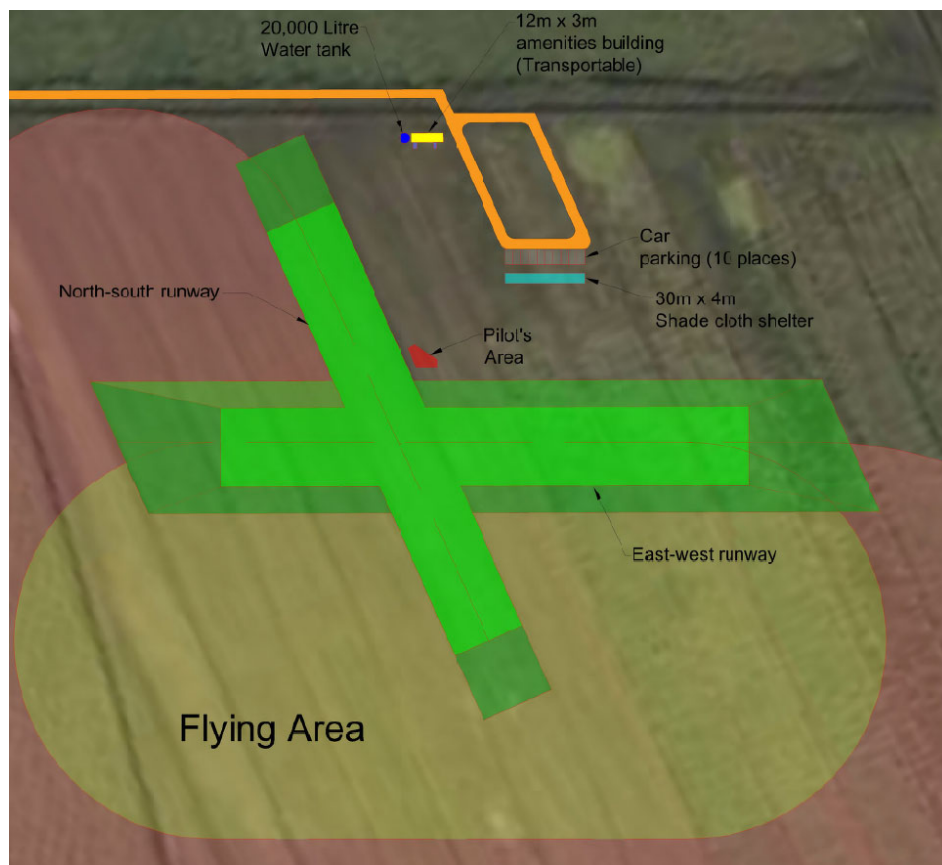


Figure 3: Facilities Plan



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:

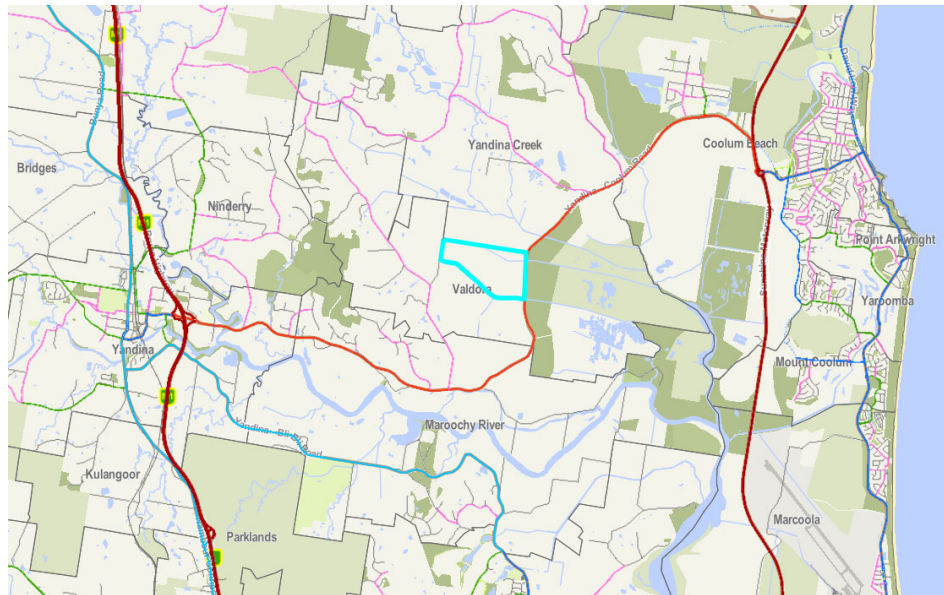


Figure 5: Street Map



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.

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:

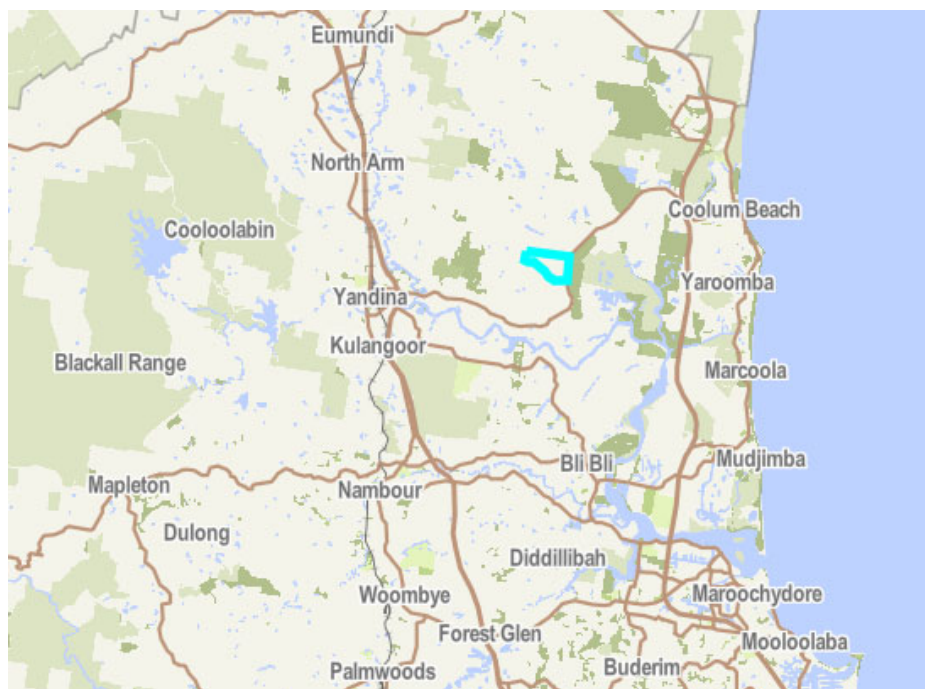


Figure 9: Road mapping (GeoHub)

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*.

Flood Hazard Overlay Code

The site is impacted by regional flooding and would be entirely inundated in a major flood event. Buildings are not proposed to be located above the flood level but could be made adequately flood resilient. The site requires limited development in order to undertake the proposed activities. Some flattening of the existing agricultural drains is proposed, though no imported fill is anticipated.

The site is subject to regional flood inundation originating from the east, so the proposed egress from the facility provides progressively improving immunity for evacuation to the west. A Flood Emergency Management Plan has been provided and could be approved with minor amendments if the development were to be approved. The development could therefore be designed and operated to mitigate risks to people and property from flooding.

Although the site may be subject to tidal inundation due to climate change in the medium term, it is considered inappropriate to allow development to occur on the site that would compromise natural tidal progression. It is also considered relevant to note that any lease term for the use may not exceed a period of 10 years as a lease term, including renewal options exceeding 10 years is considered to comprise a subdivision, which is prohibited development in the Regional Landscape and Rural Production Area under the Planning Regulation 2017. Thus, if the development were to be approved, a condition could be applied to require the use to cease 10 years after commencement, or sooner if the highest astronomical tide level increased above the runway surface level.

The development is therefore considered able to achieve the outcomes sought by the Flood hazard overlay code.

Height of Buildings and Structures Overlay Code

The development includes buildings that comply with the maximum 8.5m building height specified for the site.

Regional Infrastructure Overlay Code

Yandina-Coolum Road is identified as a major road corridor. Development adjacent to a major road corridor is required to maintain the safety, efficiency, and effectiveness of the corridor. Submitters have raised concerns that the movement of model aircraft in the sky may cause a distraction to drivers using Yandina-Coolum Road, or that they may crash on the road or into traffic. However, it is noted that the proposal complied with the assessment benchmarks applicable to a state-controlled road, and in their referral agency response SARA determined that the development does not adversely impact the function and efficiency of the state-controlled road.

Furthermore, many aeromodelling clubs are known to operate in proximity to existing road corridors and are not known to present a concerning level of risk to road users. The location of the fly zone and overfly buffer area is considered to be at a suitable distance from Yandina-Coolum Road to maintain the safety and efficiency of the road and therefore meet the relevant outcomes of the *Regional infrastructure overlay code*.

Scenic Amenity Overlay Code

Yandina-Coolum Road is identified as a scenic route. The *Scenic amenity overlay code* requires that development on a scenic route must be visually unobtrusive relative to its surroundings; maintain view corridors to significant landscape features; and be low key so as not to detract from the scenic amenity of a scenic route. Views from the scenic route fronting the site include the cane farms to the east and extend up the foothills to Mt Ninderry, the Ninderry Range and Mt Eerwah, and further north to Mt Cooroy as shown in Figures 10 & 11 below.



Figure 10: View to Mt Ninderry and south over the site from Yandina-Coolum Road (Google)

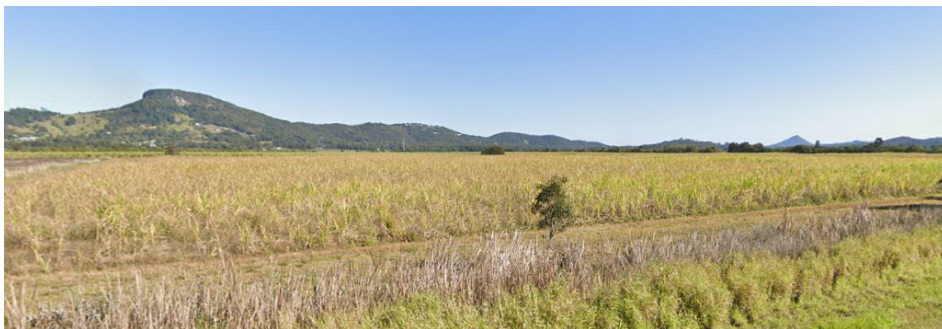


Figure 11: View to Mt Ninderry and north to Mt Cooroy from Yandina-Coolum Road (Google)

The cane farms have a varying appearance depending on the stage of the crop production and growth. However, due to the flat topography of the site, and the elevation of Yandina-Coolum Road, the buildings would be visible from the scenic route.

Notwithstanding, 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.

Within the road verge some established small trees interrupt the monoculture view of the cane fields and assist to break up the foreground view over the site which is dominated by the open farmland. However, this roadside vegetation would not provide direct screening of the proposed buildings on the site. Notwithstanding, the scale and bulk of buildings associated with the development would result in a far less impact than other buildings and structures existing in the nearby area, and would be suitably low key both visually and in scale, to be relatively unobtrusive in the landscape.

The site is also located in a significant view area, captured from the eastern lookout on Mt Ninderry. The *Scenic amenity overlay code* requires that development in a significant view area must not adversely impact upon significant views.

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. Furthermore, although the proposed grassed runways would produce a visual irregularity within the cane farm as viewed from the lookout, in the surrounding landscape a mix of geometrical features can be observed including large rectangular shaped open fields, linear tree-lined site boundaries, curved roads and waterways, linear dams and open drains, and conventional ploughing patterns on cropped land. Accordingly, the shape of 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.

The development would therefore protect the significant landscape elements that contribute to the unique character and identity of the Sunshine Coast and would achieve the outcomes sought by the *Scenic amenity overlay code*.

Rural Zone Code

The purpose of the *Rural zone code* is to provide for a wide range of rural activities and a limited range of non-rural activities which complement, value add or provide a service to rural areas. Activities in rural areas [are required to] maintain and enhance the character, visual amenity, and rural production capability of the area.

In considering whether the proposed development achieves the purpose of the *Rural zone code*, assessment is required against the overall outcomes. Given the values and constraints of the site, the relationship of the site to surrounding properties and the location, nature, scale and intensity of the proposed use, an assessment against each of the relevant overall outcomes of the *Rural zone code* is provided below:

- (a) *development provides for a wide range of rural activities including animal husbandry, aquaculture, cropping, intensive horticulture, roadside stalls, rural industries, wholesale nurseries and wineries;*

The proposed development would allow for existing rural activities (cropping) to be maintained on the site outside the identified development footprint. Information has been provided to confirm that the landowner intends to continue farming the land for cane, and that measures can be put in place to ensure that Club activities can be managed in agreement with the landowner and other lease holders on the site to avoid impact on farming operations occurring on land outside the proposed use area.

The location of the activity achieves a minimum 50m separation to rural activities (cropping) occurring on adjoining premises to the south, and more than 380m separation from any paddocks containing livestock to the north. There are other examples of horse-riding facilities and livestock keeping being located with a similar separation distance to other operating aeromodelling club sites (including clubs that accommodate jet modelling activities), which indicates that the noise and movement associated with the proposed use would not have any detrimental impact on the productivity of livestock or the safety of horse riders.

The location is therefore not expected to result in any unreasonable impacts that would threaten the ability for livestock production, horse riding and other rural activities to occur on land outside of the site. The location would also provide for existing rural activities (cropping) to be maintained on the site and is considered to achieve overall outcome (a) of the *Rural zone code*.

- (e) *other non-rural activities that are compatible with a rural setting and support rural enterprise or tourism are also encouraged where they do not compromise the use of the land for rural activities;*

The proposed development is compatible with a rural setting as the impacts associated with the use are within the realm of impacts associated with uses expected to occur in the Rural Zone. Noise associated with the operation of model aircraft can be equated to noise associated with the operation of farming equipment such as ride-on mowers, small tractors, etc. Furthermore, the use would not compromise or impact on the continuation of rural activities on the site and in surrounding areas.

The activity could involve occasional events that would attract visitors from outside the Sunshine Coast and support the tourism industry. However, at this time, the Club has advised that they do not intend to hold events at the site. Conditions limiting the scale and regularity of events could be applied if the development were to be approved. The activity is therefore considered able to achieve overall outcome (e) of the *Rural zone code*.

- (f) *non-rural activities are located, designed and operated to minimise conflicts with existing and future rural activities on surrounding rural lands and avoid significant effects on rural amenity including through adverse noise or traffic generation;*

Noise modelling indicates that the operation of model aircraft on the site would result in negligible impacts on the nearest sensitive receptor and compliance monitoring can be undertaken once the use is operational to ensure acoustic objectives are met. Whilst concerns have been raised by the community about the unique acoustic characteristics of Valdora valley, it is noted that the acoustic modelling shows that at the foothills of the ranges surrounding the site, the projected noise from model aircraft would be less than the level of the lowest background noise level that was measured during the daytime.

Consideration has also been given to the accuracy of the measured background noise levels and the levels provided have been compared to the levels adopted in other acoustic assessments undertaken in rural areas and have been determined to be reasonable. It is further noted that the noise modelling considered the operation of 6 turbine powered aircraft as a worst-case scenario, and the Club proposes to operate a maximum of 5 aircraft at any one time. Accordingly, the noise impacts are expected to be even less than that modelled, and Council officers are confident that the development would not result in any adverse noise impacts to the nearest sensitive use or any sensitive uses further away.

Dynes Road would be used to access the site, which has a 5.5m -6m wide gravel formation from its intersection with Valdora Road, which is considered suitable to cater for the existing function of the road, which services 8 other rural properties. The site access is located about 850m from the intersection so it is possible that vehicles using the road would travel at a speed that would generate dust.

Near the intersection, there are 4 residential dwellings located in proximity to Dynes Road that may experience noise and dust impacts from vehicles. However, it is noted that in this location, the travel speed of vehicles would be less likely to generate excessive amounts of dust and the dwellings are setback from the road or there is some landscaping within the road verge which may assist to screen the dwellings from the road. There is only one other dwelling located about 450m along Dynes Road which may be impacted by dust from vehicles using the road. This dwelling is setback about 40m from the front boundary and located to the rear of a shed and also screened by some landscaping established on the site.

Whilst the extent of impacts arising from traffic generated by the proposed use would be limited to a few dwellings, the development would not result in a substantial increase in vehicle movements. Further, it is noted that while the development would increase the traffic volume on Dynes Road on the days that it operates, the increase would not be substantial in comparison to the range of uses that could be established on the site as accepted development, and result in similar levels of daily traffic generation.

The amount of traffic expected to be generated by the proposed use is further detailed in the assessment below against the *Transport and parking code*.

The development is therefore considered to be compatible with and equivalent to, the form of development expected to occur in a rural area and would not result in significant impact from noise and traffic over and above that which could occur on the site as accepted development.

The amount of traffic generated by the use is therefore not likely to result in adverse noise and traffic generation and is considered able to achieve overall outcome (f) of the *Rural zone code*.

(j) *development does not alienate or fragment agricultural land class A and class B, strategic cropping land (SCL) or potential SCL unless:-*

- (i) *there is an overriding need for the development in terms of public benefit; and*
- (ii) *no other site is suitable for the particular purpose;*

As previously discussed, the development footprint is substantially limited to areas of the site mapped as agricultural land class C. Furthermore, the proposed use can be managed to allow areas of agricultural land within the to continue to be used for agricultural purposes. The development would also not involve the fragmentation of rural land, and any lease over the proposed development footprint would be required to have a maximum term of less than 10 years or would be the subject of a further development application. The development is therefore considered able to achieve overall outcome (j) of the *Rural zone code*.

(l) *the built form of development integrates with and complements the predominant rural character intended for the zone and sensitively responds to the environmental and topographic features of the landscape;*

The proposed demountable building and shade shelter comprise low impact structures with a built form that is low rise, light weight, and small scale. The building mass and materials are consistent with the expectation for development in the Rural Zone and in keeping with the type of structures found in the surrounding area. Works required for the construction of grass runways and gravel driveways are congruent with the nature of works typically occurring in rural areas and involve minimal changes to existing ground levels. The works would be designed to maintain overland flows and provide for the continued operation of the farm on land surrounding the development footprint. The development is therefore considered able to achieve overall outcome (l) of the *Rural zone code*.

- (n) development maintains and enhances the significant scenic and landscape values of the area;

The development involves the establishment of a small scale 12m x 3m transportable amenities and office building with a height of 4m, and a linear 30m x 4m shade cloth shelter with a height of 3m to be constructed over the 'pit'. The size and height of the structures is consistent with the types of built form expected to occur in the local area, and particularly on rural land. Due to the flat topography of the site and adjacent road frontages as shown in Figure 12 below, the buildings would be visible from surrounding roads.

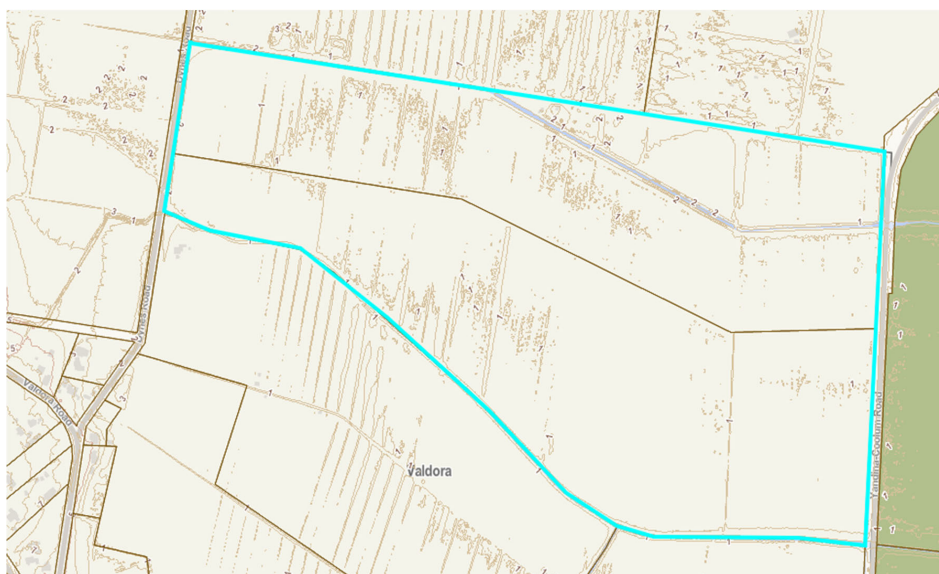


Figure 12: Site topography (Geohub)

The buildings would also be visible from surrounding elevated areas, including the ranges and lookout from Mt Ninderry. However, the size and scale of the structures are consistent with the form of development expected to occur in a rural area and would not have a significant impact on the scenic values of the area, as previously discussed as part of the assessment against the *Scenic amenity overlay code*.

The runways will have a grass surface that would blend into the surrounding landscape and involve minimal changes to natural ground level which would allow them to be screened by growing crops and would generally maintain the appearance of the landscape as it appears from the surrounding ranges. The buildings and runways are located approximately 420m from Yandina-Coolum Rd and 910m from Dynes Rd and would be sometimes partially screened by crops (sugar cane), which is intended to continue to be cultivated on the surrounding land.

In any case, the proposed buildings would be low in height and would not interfere with distant views obtained from roads fronting the site.

The proposed development is located in close proximity to the Sunshine Coast Solar Farm which includes a large footprint of photovoltaic panels and is far more observable from a distance. The visual impact of the proposed development is therefore considered to be relatively small scale and would generally maintain the significant views available from surrounding properties and important public locations, such as scenic routes and lookouts.

The location, nature and scale of the development is therefore considered able to achieve overall outcome (n) of the *Rural zone code*.

(q) *development avoids as far as practicable, or where avoidance is not practicable, minimises and otherwise mitigates, adverse impacts on ecologically important areas, including creeks, gullies, waterways, wetlands, coastal areas, habitats and vegetation through sensitive location, design, operation and management*

The development is not located in close proximity to any ecologically important areas and the aeromodelling activity is not known to cause any direct or indirect impacts on wildlife.

The grass runways may attract kangaroos and other wildlife that rely on grass for food or habitat. However, the operation of model aircraft is not known to interfere with the movements or breeding of wildlife.

The development location is therefore considered to achieve overall outcome (q) of the *Rural zone code*.

(r) *development is designed and sited to sensitively respond to the physical characteristics and constraints of land, including flooding, steep land, landslide hazard and bushfire hazard, where applicable;*

The site is subject to flooding, including relatively regular low level events that would affect safe access to the airfield and would inundate the airfield, making it unsuitable for flying model aircraft. However, as the use does not involve people permanently residing on the site, conditions can be applied to require a flood management plan to be put in place if the development were to be approved. This would involve preparing a plan that specifies particular triggers to identify when the site is not suitable for the use due to flooding, and a means of communicating the site closure to Club members.

The development is therefore considered to be able to achieve overall outcome (r) of the *Rural zone code*.

- (s) *development provides for infrastructure and services that are commensurate with the nature and scale of development that is expected to occur in the area;*

The site is serviced by a gravel road, which does not achieve the minimum standard required for a Rural Access Place, and may not ordinarily be considered particularly suitable for an Outdoor Sport and Recreation use. This is because an Outdoor Sport and Recreation use would preferably be provided with access via a sealed road, particularly if it were the type of activity that could attract large numbers of visitors and spectators to competitions and events, in addition to visitation by regular club members. However, it is noted that the proposed Aeromodelling Club use would generate relatively low levels of traffic, and does not propose to hold regular competitions and events. Furthermore, visitors to the site would primarily be Club members and family and friends, who are likely to be familiar with the condition of the road. The standard of access provided to the site is therefore considered to be commensurate to the nature and scale of the proposed development.

The development otherwise proposes on-site services for water supply and wastewater management, which is commensurate with development in a rural area. Conditions can be applied to ensure the on-site services meet the relevant standards if the development were to be approved. The development is therefore considered able to be conditioned to achieve overall outcome (s) of the *Rural zone code*.

- (v) *development provides for the following:-*
- (i) *a use listed as a consistent use in column 1 of Table 6.2.19.2.1 (Consistent uses and potentially consistent uses in the Rural zone) to occur in the Rural zone; and*
 - (ii) *a use listed as a potentially consistent use in column 2 of Table 6.2.19.2.1 to occur in the Rural zone only where further assessment has determined that the use is appropriate in the zone having regard to such matters as its location, nature, scale and intensity.*

Outdoor Sport and Recreation is listed as a potentially consistent use in the Rural Zone. Assessment of the proposal in relation to its location, nature, scale, and intensity follows:

- Location

The site abuts Yandina-Coolum Road and is accessed from Dynes Road. The site is centrally located within Valdora, about 8km from the Sunshine Coast Airport.

The flight zone and overfly buffer zone for the model aircraft airfield is contained entirely within the site and would achieve a minimum 50m buffer to any adjoining land used for cropping. The development footprint is predominantly outside of land included in the agricultural land classification - class A and B.

Furthermore, the proposed use would allow for existing cropping to continue outside the development footprint, in existing paddocks that contain good quality agricultural land and are currently used to grow sugar cane.

There are 30 properties located within a 1km radius from the proposed development footprint, including:

- the Sunshine Coast Solar Farm in the Communities Facilities Zone;
- the Coolum Creek Conservation Park in the Environmental Management and Conservation Zone;
- 2 Council properties (reserves for environmental purposes) in the Rural Zone;
- 4 private properties in the Rural Residential Zone; and,
- 22 private properties in the Rural Zone.

None of the dwelling houses on the rural residential zoned properties are located within 1km from the outer limit of the overfly buffer zone.

Of the 22 private rural zoned properties, only 4 contain dwellings fronting Dynes Road, and only 11 properties contain dwellings that are within 1km of the development footprint.

The proposed airfield, amenities and internal site access is located to achieve the greatest possible separation from any sensitive land uses being undertaken on adjoining premises, with the following separation distances achieved from the outer perimeter of the runways and overfly buffer zone to nearby uses:

- Solar farm (nearest photovoltaic device) >380m
- Horse paddocks to north >380m
- Round yard and horse arena to north >500m
- Dwelling to north >700m
- Dwelling to south >750m
- Dwelling to west >800m

The location would provide for existing rural activities (cropping) to be maintained on the site and would not compromise the ability for existing rural activities to continue on adjoining and surrounding land, as previously discussed in relation to achieving the intent of overall outcomes (a) and (e) of the *Rural zone code*.

Due to the separation provided to any sensitive land uses, the proposed access and location would minimise conflicts with existing and future rural activities on surrounding rural lands and would avoid significant effects on rural amenity including through adverse noise or traffic generation, as previously discussed in relation to achieving the intent of overall outcomes (e) and (f) of the *Rural zone code*.

The proposed location would not alienate or fragment agricultural land class A and B or strategic cropping land, as previously discussed in relation to achieving the intent of overall outcome (j) of the *Rural zone code*.

The location of the proposed buildings and the airfield provides reasonable separation from adjoining road frontages and the surrounding ranges to minimise impact to scenic values, as previously discussed in relation to achieving the intent of overall outcomes (l) and (n) of the *Rural zone code*.

The site does not contain any ecologically important areas and the development is appropriately separated from nearby Environmental Reserves. Whilst the location is subject to flooding, mitigation strategies can be put in place to minimise potential impacts to people and property. The location is therefore considered to maintain environmental values and minimise the risk of natural hazards, as previously discussed in relation to achieving the intent of overall outcomes (q) and (r) of the *Rural zone code*.

- Nature of the Use

The use involves the establishment of grass runways, a small amenity building, a shade structure and gravel driveways and parking areas, which are considered to be consistent with the type of development found in rural areas. The proposed works and buildings, including the ancillary services infrastructure (water tanks and effluent system) could be easily removed to allow the land to be used for agricultural purposes or other rural activities should the use be ceased.

The use does not involve any permanent occupation. Attendance to the site is subject to having suitable weather to permit the flight of remote-controlled aircraft and is therefore intermittent. The Club has advised that they only intend to operate during daylight hours, which is generally consistent with the operation of surrounding rural activities.

Amenity impacts would be largely limited to noise associated with the operation of remote-controlled aircraft, and noise and dust impacts associated with the use of Dynes Road to access the site. As previously noted, amenity impacts would either be similar to those associated with the operation of farm machinery on the site or could be mitigated through the application of conditions if the development were to be approved.

As the nature of the use would not compromise the productivity of the land or surrounding premises, would only occur during the day, has impacts commensurate with rural activities, and incorporates a relatively low impact form of development, it is considered to be appropriate for the Rural Zone. If the application were to be approved, conditions can be included to ensure the development footprint does not exceed the areas shown on the proposal plans.

- Scale of the Use

The Club has a membership of approximately 100 persons; however the number of attendees on flight days fluctuates due to a number of reasons, including the following:

- weather conditions - less experienced pilots require good weather conditions to practice, more experienced pilots will practice flying in progressively more difficult weather conditions

- other commitments - many members have employment, education and community commitments that prevent them from attending on certain days
- access to transport - some members rely on carpooling with family or friends

The Club has advised that a typical session may attract up to 40 people, including up to 20 members and spectators, which are generally family members or friends. It is noted that in order to accommodate this number of people, including vehicles with trailers (which are regularly used for transporting larger model aircraft), a total of 17 car parking spaces may be required. It is noted that due to the arrangement of the internal driveway there would be sufficient space to accommodate the required number of recommended spaces, and also to provide for overflow parking, if required for any temporary events.

The plans provided have been measured at scale and show that the proposed 200m east-west runway would have a total maintained length of 275m and the 175m north-south runway would have a total maintained length of 230m as shown in Figure 13 below.

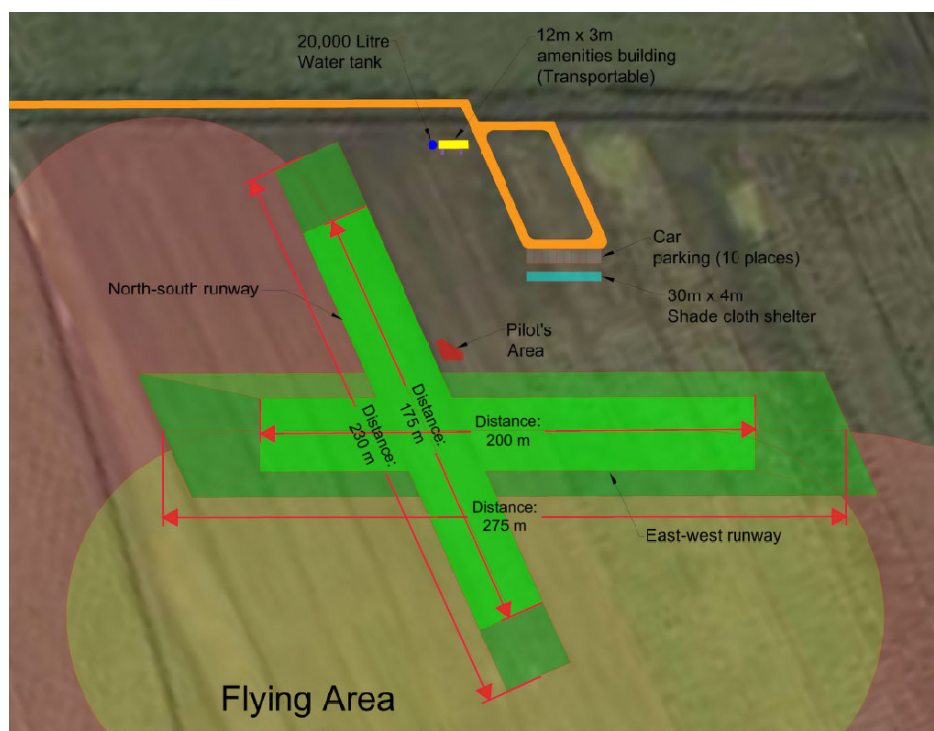


Figure 13: Runway Distances (from Proposal Plans)

The maintained grass areas on either end of the runways would provide for safe landing and departure.

Whilst it is noted that the applicant has advised that the subject site is proposed to accommodate runways of 300m in length to allow for jet aeromodelling, the plans provided do not specify this and the noise modelling has been based on the runway lengths shown on the plans.

It is further noted that the information presented in some submissions and petitions have identified an intent for competitions to be held by the Club, and that the Club has held competitions and events in the past at their former site in Coolum Industrial Estate. However, the applicant is adamant that competitions are not proposed at this time.

Should the application be approved, conditions can be applied to limit the scale of the use as specified in the application material presented by the applicant, and to ensure the amenity of the surrounding area is maintained, including the following:

- runway lengths to be in accordance with the submitted plans, including a 200m long east-west runway and a 175m long north-south runway
- on-site attendance to be limited to a maximum of 20 club members and a maximum of 40 persons at any one time, except for on event days as authorised in accordance with a temporary event permit issued by Council
- no more than one (1) temporary event permitted per annum, subject to issue of a temporary event permit by Council

The development is therefore considered able to be conditioned to be limited in scale such that it is appropriate to operate in the Rural Zone.

- Intensity of the Use

The intensity of the use is limited by the size of the runway and the space available for flying, as shown on the proposal plans. The application material identifies that a maximum of 5 aircraft would be permitted to be airborne at any one time, and despite not having the preferred runway length required to accommodate jet modelling, has provided acoustic modelling for a range of aeromodelling craft types, including up to 6 jet models to be in flight at any one time. Notwithstanding, should the application be approved, a condition could be applied to limit the permitted number of aircraft in flight to be a maximum of 5 at any one time.

Suitable weather conditions and lighting are required to allow safe operation of remote-controlled aircraft. The most suitable periods for flying model aircraft at the site are expected to be in the morning when winds are typically lighter, and there is a high level of visibility from the pilot's area to the flying area. Flight times and length of flight is further limited by the type of aircraft, and the experience of the pilot, with individually flight times typically not exceeding 15mins. Typical flight sessions on a suitable day for the Club to meet could accommodate a maximum of 20 pilots over a period of a few hours. However, it is noted that ordinary rural uses and activities are less likely to occur on public holidays, and these are days that most people would spend with their families enjoying the peace and quiet provided in rural areas.

Accordingly, whilst 7 day operation is often associated with rural activities, it would be appropriate to limit the use to maintain rural amenity on Sunday mornings and public holidays.

Should the application be approved, conditions can be applied to limit the intensity of the use as specified in the application material presented by the applicant, and to ensure the amenity of the surrounding area is maintained, including the following:

- a maximum of 5 aircraft to be airborne at any one time
- operating hours to be limited to between 7am and 4pm on any weekday or Saturday, and between 12pm and 4pm on Sundays
- no operating on public holidays

The development is therefore considered able to be conditioned to be limited in intensity such that it is appropriate to operate in the Rural Zone.

On the whole, the proposed development is considered able to be conditioned to be limited in nature, scale, and intensity to be appropriate to occur in the Rural Zone, and the location of the development is otherwise considered to be suitable to achieve the outcomes sought by the *Rural zone code*.

Sport and Recreation Uses Code

An Outdoor Sport and Recreation use is required to be located and designed to be convenient to users and compatible with the preferred character of the local area. The site has been selected by the Suncoast Model Flyers Club as it is not far from their former location in Coolum, and because the land requires minimal modification to accommodate the use, which will generally maintain the character of the area.

The development comprises relatively small-scale, low-rise buildings that are compatible with the built form found in rural areas and designed to meet the needs of the Aeromodelling Club. The buildings are well setback from roads and can be softened with landscaping to provide an attractive address to Yandina-Coolum Road. In this regard, the proposal meets Performance Outcomes PO1 - PO3 and overall outcomes (a) - (c) of the *Sport and recreation uses code*.

However, Performance Outcomes PO4 & PO5 require the following:

PO4 The surrounding road system is capable of accommodating the additional traffic generated by the sport and recreation use without adverse impacts.

PO5 The sport and recreation use provides for public transport facilities and services, where required, to accommodate the needs of users, having regard to the scale and nature of the use.

It is noted that the site is not well serviced by public transport facilities and is located on a gravel road. Whilst the nature of the use would not be suitable for Club members to utilise public transport due to the transportation requirements for model airplanes and associated equipment, it is noted that the use relies on attendance by motor vehicle and is likely to generate an additional 34 vehicle trips on a typical day. As detailed further below in the assessment against the *Transport and parking code*, traffic generated by the use is estimated to result in an additional 9,282 trips per year on Dynes Road, which is equivalent to the number of trips generated by a residential use comprising a dwelling house and secondary dwelling on each lot, as detailed further below in the assessment against the *Transport and parking code*.

Whilst Dynes Road is a gravel road, the traffic generated by the use is not substantial when compared to other uses that could reasonably occur on the site, and therefore not likely to cause adverse impacts on the road system. Further, as the use would not generate a demand for public transportation services, the development is therefore considered to achieve Performance Outcomes PO4 & PO5 of the *Sport and recreation uses code*.

Landscape Code

The development does not propose to establish any landscaping for the use. However, Council's Landscape Officer has determined that it would be appropriate for shade trees to be provided to the parking area and for amenity plantings to be established around buildings to assist to soften and integrate the buildings and service areas. Conditions can be included if the development were to be approved, to achieve the outcomes sought by the *Landscape code*.

Nuisance Code

A Noise Impact Assessment prepared by JT Environmental Engineering Consultants has been prepared to support the application, which demonstrates the development would not result in any adverse noise impacts to nearby sensitive uses and the outcomes sought by the Nuisance code would be achieved, as previously discussed.

The model has 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 has 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.

It is also noted that battery electric model aircraft are utilised by the club and are becoming more prevalent. Electric model aircraft create substantially less noise than traditional fuel powered model aircraft and have therefore not been assessed in the model.

The results indicate that the noise levels will be below the acoustic quality objectives specified within the *Environmental Protection (Noise) Policy 2019*. As the results indicate that the noise criteria will be readily achieved based on worst case scenario operating conditions it is concluded that under normal operating conditions where a lesser number of model airplanes and/or quieter model aircraft will be operating it is unlikely that the noise criteria will be exceeded at the nearest dwellings. As noise levels reduce with greater distance compliance at more distant dwellings will also be achieved.

The submitted application material and acoustic report has confirmed that the relevant noise criteria, based on protection of health and wellbeing of the receiving environment, will be readily achieved by the proposal. If the development were to be approved, conditions can be included to require the use to operate in accordance with the recommendations of the Noise Impact Assessment, which requires compliance monitoring to be undertaken once the use is operational. The development is therefore considered able to be conditioned to achieve the outcomes sought by the *Nuisance code*.

Safety and Security Code

The applicant has advised that the development access would be fenced and gated to prevent access by unauthorised persons. A condition requiring standard timber post and plain wire rural type fencing can be included to this effect if the development were to be approved. The development is therefore considered able to be conditioned to achieve the outcomes sought by the *Safety and security code*.

Stormwater Management Code

The proposed developed portion of the site is very sparse, so all runoff would be substantially buffered before leaving site. Roofed buildings would be required to connect to water tanks and overflows from water tanks can be directed to existing or proposed drainage lines within the site. No specific conditions are considered necessary to achieve the outcomes sought by the *Stormwater management code*.

Sustainable Design Code

The *Sustainable design code* is not applicable to the proposed form of development.

Transport and Parking Code

The purpose of the *Transport and parking code* is to ensure that transport infrastructure including pathways, public transport infrastructure, roads, parking, and service areas, are provided in a manner which meets the needs of the development, whilst promoting active and public transport use and preserving the character and amenity of the Sunshine Coast.

A traffic report has not been provided to support the application, so Council is required to determine the likely existing usage of Dynes Road and assess the traffic impacts likely to be associated with the development.

Dynes Road provides access to a total of 10 rural properties, including the 2 land parcels that are the subject of this application. Noting that only 4 of the 10 rural properties fronting Dynes Road currently accommodate dwellings, and other land contains rural uses, the road is expected to have a volume of approximately 60 vehicle trips per day. Dynes Road has a formed compacted gravel pavement width of about 5.5m - 6m, which is suitable to cater for the existing types and number of vehicles expected to be using the road.

Based on the likely number of visitors to the site each day, the development is expected to result in a noticeable increase to the existing daily traffic volume on Dynes Road. It is reasonable to consider that some members (possibly 25%, or 5 out of 20) may carpool, and most guests (possibly 90%, or 18 out of 20) would share vehicles with members, so it is reasonable to estimate that there would be about 34 trips generated by the development on the days that it operates. This would be equivalent to a 56% increase in the daily traffic volume on Dynes Road.

However, given that the use may only operate about 273 days per year (based on average days of rainfall and wind speed exceeding 15km/hr), it would be reasonable to estimate that annual vehicle trips generated by the development would be about 9,282. This number of additional annual vehicle trips is not substantially more than the number of trips that would be generated by the use of one of the land parcels for a dwelling house and secondary on each lot, and is therefore not considered to be a significant number of additional trips.

Furthermore, the existing width and condition of Dynes Road is considered suitable to cater for the expected number of vehicle trips likely to be generated by the proposed development. Whilst the existing gravel pavement of Dynes Road is not consistent with the minimum standards specified in the *Planning scheme policy for the transport and parking code*, which requires a minimum 6m wide sealed carriageway, and sealed shoulders for a Rural Access Place, the existing gravel road surface is well formed and in a reasonably good condition.

Although sealing the road would improve the standard of available access to the site, the minimum length of seal required to completely protect the amenity of existing dwellings on Dynes Road is estimated to be about 555m as shown in blue on Figure 14 below.

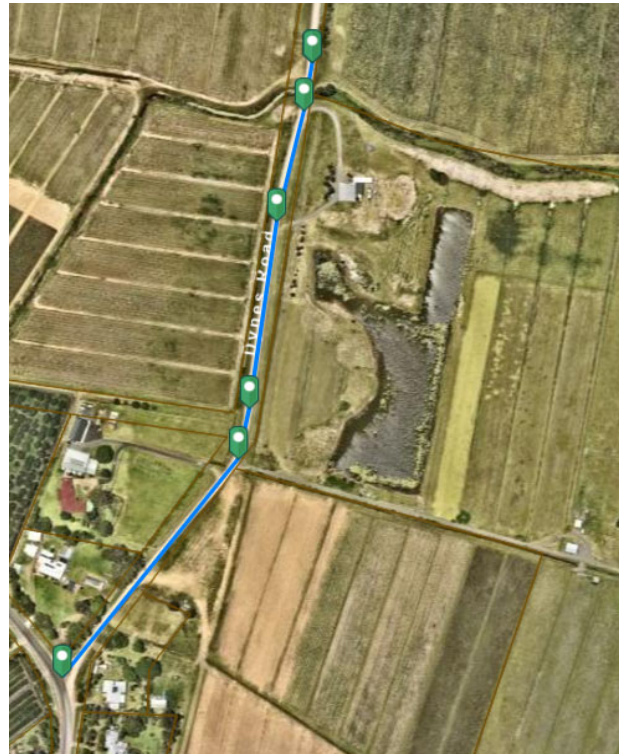


Figure 14: Length of road from the intersection with frontage to dwellings (Geohub)

However, it is also noted that there would be a significant cost associated with upgrading the road to have a sealed surface, which be excessive considering the amount of traffic that would be generated by the use. An assessment undertaken by Council's Principal Development Engineer has advised that due to the existing geometry and elevation of the road, upgrade works to provide a bitumen seal in accordance with Council's standards for a Rural Access Place would involve substantial realignment works, improvement of cross drainage infrastructure, and the reconstruction of existing driveway crossovers and table drains.

Having regard to the nature and scale of the impacts generated by the relatively low level of traffic that would be generated by the use, the scope of works required to completely avoid impacts to residential properties fronting Dynes Road is therefore considered to be unreasonable.

An all-weather internal access route, including the provision of passing bays at appropriate intervals, is required to be constructed from Dynes Road to access the parking area and meet the expected standard for a driveway in a rural area. The parking area is also required to have a formed, all-weather surface (e.g. compacted gravel).

If the development were to be approved, conditions can be applied to ensure the access achieves the required standard of surfacing through an operational work approval, and the parking area is designed to provide for a sufficient number of spaces that meet the Australian Standard. However, formal demarcation of parking spaces is not considered necessary due to site visitation proposed to be primarily by members and their guests.

The number of parking spaces required must be equivalent to the demand generated by the development. The applicant has advised that it is likely that a maximum of 20 members and 20 guests would be on site at any one time, and that the majority of people would be carpooling. However, a traffic report has not been provided to confirm the carpooling rate and expected demand for parking spaces. Accordingly, as Council is required to take a conservative approach to determine an appropriate number of spaces for the use. On the basis that it is reasonable to consider that some members (possibly 25%, or 5 out of 20) may carpool, and most guests (possibly 90%, or 18 out of 20) would share vehicles with members, it is also reasonable to estimate that there would be a demand for at least 17 car parking spaces. Although the club proposes only 10 parking spaces, there is space available to provide up to 20 parking spaces in the area identified for parking, and additional space available for overflow parking to accommodate occasional temporary events at the premises. A condition requiring a minimum of 17 car parking spaces to be permanently provided on the site can be applied if the development were to be approved. The development is therefore considered able to be conditioned to achieve the outcomes sought by the *Transport and parking code*.

Waste Management Code

The development is of a scale that is suitable to be provided with standard wheelie bins that are presented to the kerb for servicing. The development is therefore considered able to be conditioned to achieve the outcomes sought by the *Waste management code*.

Works, Services and Infrastructure Code

The access driveway will need to be designed and approved through an application for operational work. The development does not involve any significant earthworks, however to ensure only clean fill is used for any works associated with the development, conditions can be applied if the development were to be approved.

Conditions can also be applied to ensure that an adequate supply of potable water is provided for the use, and the on-site wastewater management system is regularly serviced as required to allow the use to be provided with adequate working facilities.

As the development could be provided with infrastructure and services commensurate with an outdoor activity in the Rural Zone, it is therefore considered that the use is able to be conditioned to achieve the outcomes sought by the *Works, services and infrastructure code*.

Other Relevant Matters

Planning Need

In 2019, a collaborative Regional Facilities Plan for Difficult to Locate Sports was developed in a joint venture between Gympie Regional Council, Noosa Shire Council and the Sunshine Coast Council, which included consideration of aviation related sports including hang-gliders, para-gliders, model aeroplanes and fixed wing / ultra-light aircraft. In this plan, the need for a regional facility for the operation of model or miniature aircraft was confirmed due to a range of factors, with the following facility specifications depicted in Figure 15 below identified as being necessary:

Size	Access	Topography/ Landscape
Aviation		
40-80ha is preferred, 30ha overfly area is minimum. Flying area which is 900m x 900m (distance in front, and to right and left of pilot) in order to operate an aircraft avoiding flying over roads, heavily occupied areas such as schools or houses etc. Main use focus is: Airfield/ landing areas need to be minimum 400m with 300m cross runway for take-off and landing.	All weather access to the take-off and landing area is preferred, car parking for 100 cars.	Flat, open and obstacle free flying area (preferred 900m x 900m area in front, and to right and left of pilot). Maximum height for flight is 120m

Figure 15: Excerpt from Regional Facility Specifications (Regional Facilities Plan for Difficult to Locate Sports)

However, the proposed development is for a facility to be established that would enable the Suncoast Model Flying Club to continue operating locally, rather than to establish a regional scale facility. The Club was previously operating from a site within the north-western portion of the Coolum Industrial Estate, on land owned by the State. The Club has been required to relocate due to the State's plans to expand the industrial estate and develop the remaining land in the High Impact Industry Zone into industrial lots. The Regional Facilities Plan for Difficult to Locate Sports identified that local clubs could work toward relocation to the Tin Can Bay Flyers field or to an alternative site, possibly within the Inter-urban Regional Break on the Sunshine Coast. However, no suitable alternative site on the Sunshine Coast has been identified to date. The members of the Suncoast Model Flying Club consider that the Tin Can Bay Flyers field is located too far away to meet the needs of their members who primarily reside within the Sunshine Coast region and Noosa.

The applicant has advised that many existing clubs within the region are at capacity and the continuation of the Suncoast Model Flyers Club meets a need which is not able to be accommodated by any of the existing clubs. Figure 16 below.

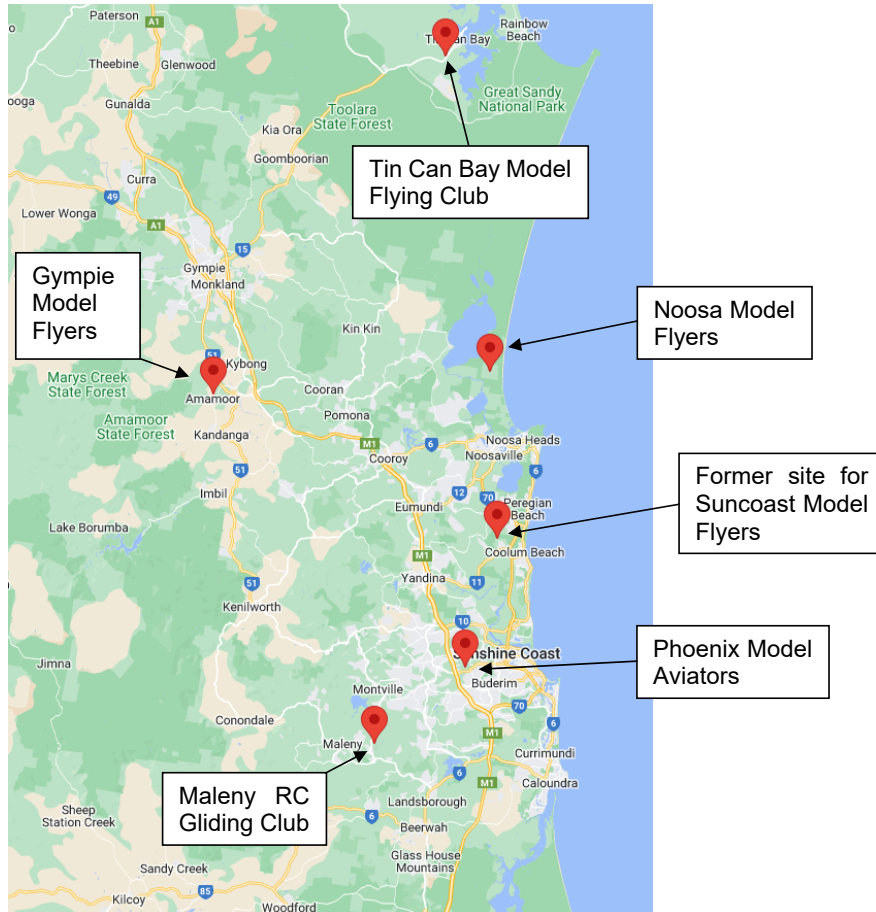


Figure 16: MAAQ club locations (https://maaq.org/clubs_locations/)

Locational Requirements

The applicant has advised that the requirements for a suitable site to accommodate local aeromodelling activities is based on the Clubs experience at the previous Coolum location, and includes the following:

- Minimum 25-hectare site preferred with a minimum 10 hectare overfly area.
- Flying area of approximately 600m x 600m (distance in front, and to right and left of pilot) in order to operate an aircraft avoiding flying over roads and heavily occupied areas such as houses and schools etc.
- Clear airfield / landing areas of a minimum length of 250m and a 200m long cross runway for take-off and landing.
- Flat, open and obstacle free flying area.

- Separation from sensitive uses.
- Suitable prevailing winds.
- Outside of airport obstacle limitation surface and flight path to facilitate for flight up to 100m above ground level.
- Accessibility to the Sunshine Coast community.

Although not identified on the submitted proposal plans, the Club has also advised that a runway length of 300m would be preferable to accommodate jet modelling, and is able to be accommodated on the site.

Site Suitability

The applicant considers that the site for the airfield and club amenities is particularly well suited to the proposed use for the following reasons:

- The site has a sufficient area.
- There are no roads or buildings within the proposed flying circuit zone or overfly buffer area, and the nearest sensitive premises is over 500m away from the outer limit of the nominated overfly buffer zone.
- Although not clearly shown on the submitted plans, the required 250m runway and 200m cross runway lengths can be accommodated within the site.
- The land is flat and co-use of the land for cropping (cane fields) provides for unimpeded visibility of the proposed fly zone from the pilot area.
- The outer limit of the proposed overfly zone is located well clear of Civil Aviation Safety Authority (CASA) exclusion zones applicable to the operation of remote controlled aircraft, being about 140m away from the approach / departure flight paths and over 200m away from the 120m Obstacle Limitation Surface associated with the Sunshine Coast Airport.
- The site has suitable prevailing wind conditions and an orientation that facilitates good visibility of the flight zone.
- The site is located within the northern half of the Sunshine Coast region, not far from the previous location of the club in the Coolum Industrial Estate, which provides convenient access to existing members.
- The site requires minimal work to establish the use.

Assessment Benchmarks Related to a Variation Approval

Not applicable.

Assessment Benchmarks Related to a Temporary Local Planning Instrument

Not applicable.

Other Assessment Matters

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

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

South East Queensland Regional Plan (SEQRP)

The development is located within the Regional Landscape and Rural Production Area of the SEQRP. Having regard to the SEQRP, the development is consistent with the outcomes expressed and sought to be achieved by the SEQRP, having regard to the following:

- Works required to establish the use will have minimal impact to the rural production capacity of the land as all buildings and structures are removable, and changes to ground levels would generally maintain existing site conditions.
- The proposal use does not involve permanent occupation or an increased density of people living on the site.
- The proposal will contribute to the mix of outdoor sport and recreation activities available to the local community.
- The development would not sterilise the use of surrounding properties for rural activities or agricultural pursuits as the minimal impacts of the use (noise and use of airspace) are compatible with nearby uses which are existing and/or likely to occur (e.g. cropping, animal keeping, animal husbandry, etc).
- The development will maintain the natural values and features of the site, including soil quality, existing drainage, and the continuation of cropping (cane) outside of the development footprint.

State Planning Policy (SPP)

Since the time the *Sunshine Coast Planning Scheme* commenced on 21 May 2014, a new SPP came into effect on 3 July 2017 and must be considered for development assessment to the extent the SPP is inconsistent with the planning scheme. The proposal is consistent with the policy intent of the SPP and does not conflict with any of the identified state interests.

CONSULTATION:

Referral Agencies

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

Department of State Development, Infrastructure and Planning (SARA)

The department is a concurrence agency for matters relating to a State controlled road. The department originally responded by letter dated 28 June 2024 stating that their only requirement was to ensure that direct access is not permitted between Yandina-Coolum Road and the subject site.

The application proposes all weather access from Dynes Road. On 12 November 2024 that applicant changed the application to include the land at 76-88 Dynes Road, Valdora in the application for the purpose of access. Following this the department issued a changed referral agency response dated 20 November 2024, including the same condition requiring that direct access is not permitted from Yandina-Coolum Road.

Other External Referrals

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 ASA responds to the request.

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

Public Notification

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.

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

ISSUES	COMMENTS
<p>Risks to People & Property</p> <p><u>Matters raised in objecting submissions.</u></p> <p>Concerns about the risk of crashes that impact residents or roads and about the risk of crashes that result in fire have been raised including submissions citing:</p> <ul style="list-style-type: none"> • Cane fields are highly flammable • The planes crash regularly • Crashing planes will cause fires and there is evidence of this occurring in Ipswich in 2020 • Fires started from planes crashing could cause serious damage to natural areas and local wildlife • There is no suitable on-site water source available to manage fires • Buildings are at risk from planes crashing into them • A plane might crash into the telecommunications tower • A plane might crash into a vehicle or distract a driver and cause a traffic accident • The nearby solar farm owned by council would also be in danger from impacts and fires • Planes can ignite mid-air from complications <p>Concerns about the model aircraft flying too close to the existing commercial and private aircraft flight paths and potential for accidents have also been raised.</p> <p><u>Matters raised in supporting submissions.</u></p> <p>Information about the safety measures taken by the club have been identified, including submissions citing:</p> <ul style="list-style-type: none"> • There have been no accidents involving injury or risk to people in the club's history 	<p>There is an extremely low possibility of any remote-controlled aircraft crashing outside the fly zone and overfly buffer area due to the range of technologies and safety checks utilised by pilots.</p> <p>Safety mechanisms include alarms that alert the pilot to the distance of the aircraft, and cut-off switches that result in the engines being turned off.</p> <p>The proposed Aeromodelling Club would be located amongst existing sugar cane fields and near operating rural uses.</p> <p>Sugar cane crops have varying levels of flammability throughout the production cycle and historically burning cane fields prior to harvesting was common practice. Although, it is noted that green cane harvesting is now more common in Queensland. Nonetheless, growing and harvesting of sugar cane requires intensive management and plantations are generally set up to facilitate movement of vehicles and machinery within and between crops.</p> <p>Council acknowledges that model aircraft do crash, and ignition of crashed aircraft does occur. However, Council Officers are of the view that the risk of a model aircraft crashing and setting surrounding cane fields alight can be mitigated through appropriate management measures. This assessment is based on the following considerations.</p> <p>a) The proposed aeromodelling club is located in an area that is relatively remote and surrounded by cane fields. There are a number of existing tracks and drains that have been established to facilitate the orderly management of sugar cane fields. When carrying water these drains may assist in breaking the run of fire, depending on the fire weather conditions and intensity of the fire.</p> <p>Similarly, existing tracks provide vehicular access around the periphery of the cane fields, which have the potential to act as fire management lines.</p> <p>b) Sugar cane is typically planted in blocks of furrowed rows that are spaced around 1.8 to 2m apart. It is therefore possible to move between rows on foot and around blocks on</p>

ISSUES	COMMENTS
<ul style="list-style-type: none"> The safety system that has been implemented by the club, complies with CASA, MAAA and MAAQ standards The club provides a safe and controlled environment for members to learn the sport The activity is highly regulated by CASA with training and assessments required before pilots can fly solo, or fly progressively larger aircraft The club has rules and regulations which must be adhered to There is a club safety officer on site at every meeting The club has a fire management plan to ensure any incidents are quickly managed During high fire risk days, limitations are placed on the type of aircraft that can be operated There are several other clubs that have been successfully operating for many years in areas that are very close to major roadways, large industrial areas, parklands, children's playgrounds, and well populated areas <p>Other submissions have identified that the risks associated with the use are comparable to the risks associated with other uses operating in the area, including the operation of the airport, backyard fires and camp fires, the operation of vehicles that rely on flammable fuels, and the traditional burning of cane fields.</p>	<p>foot or via vehicle/machinery. Should a model aircraft crash into an actively growing cane field, it would be possible to access the retrieve the crashed craft and extinguish a fire either on foot or via vehicle.</p> <p>c) The Club has an existing Fire Management Plan that provides for the facility to be closed during declared fire bans; training of members; the provision of extinguishers and procedures to follow in the event of a fire. The risk of a crashed model aircraft igniting an uncontrolled fire can be further mitigated by measures such as:</p> <ul style="list-style-type: none"> i. prohibiting of flying during fire bans and/or extreme to catastrophic fire weather; and ii. having a dedicated mobile fire-fighting appliance and water supply. <p>Conditions can be included for appropriate fire management measures to be implemented should the application be approved.</p> <p>The Planning Scheme does not regulate the operation of remote-controlled model aircraft. The use is regulated by a number of different aviation bodies.</p> <p>Many aeromodelling clubs operate near busy roads and the extremely low level of risk to traffic is not considered to warrant additional management.</p>
<p>Acoustic Impacts</p> <p><u>Matters raised in objecting submissions.</u></p> <p>Concerns about impacts to people and animals from noise have been raised, including submissions citing:</p> <ul style="list-style-type: none"> The use will cause undue noise and disturbance to local residents and businesses 	<p>The fly zone and associated facilities are well separated from the boundaries of the site and any nearby sensitive uses. There are many Aeromodelling Clubs that operate in closer proximity to sensitive uses.</p> <p>The submitted application material included an acoustic report which confirms that the relevant noise criteria required to protect the health and wellbeing of the receiving environment will be readily achieved by the proposal.</p>

ISSUES	COMMENTS
<ul style="list-style-type: none"> The acoustic assessment does not account for the unique physical characteristics of the valley which is like a bowl that amplifies noise There is already a high level of noise in the area from vehicles and aircraft and more noise will diminish the rural atmosphere and quality of life The proposal will accommodate jet models which generate substantial noise <p><u>Matters raised in supporting submissions.</u></p> <p>Information about noise generated by the use has also been identified, including submissions citing:</p> <ul style="list-style-type: none"> Electric aircraft are becoming the norm these days Any noise created by aircraft will be naturally dampened by the surrounding grassed areas and sugar cane fields There are many other activities occurring on a day to day basis that produce more noise than the aircraft would such as traffic on Yandina-Coolum Rd, farm machinery, commercial aircraft, mowers There are several other Clubs that successfully operate, and have been for many years, in areas that are very close to well populated areas RC aircraft have a DB limit that is enforced RC aircraft noise is in line with current ambient noise and will not be constant 	<p>The acoustic report modelled the noise generated by 6 jet aircraft being in flight at any one time, however the proposal would have a maximum of 5 aircraft in flight at any one time.</p> <p>As the acoustic report has confirmed that the proposal will substantially comply with the relevant noise limits it is unlikely that the proposal will create any adverse noise impacts. In this regard it is also noted that the noise emitted from model aircraft is generally similar to that from a small petrol operated line trimmer / whipper snipper.</p> <p>Activities within a rural zone are likely to be characterised by farm machinery, tractors, slashers, and other small engine equipment such as line trimmers, fire pumps etc. As such the sound from a model aircraft is not considered to be substantially out character in a rural zone.</p>
<p>Visual Impacts</p> <p><u>Matters raised in objecting submissions.</u></p> <p>Concerns about the visibility and visual nuisance of aircraft have been raised, including submissions citing:</p> <ul style="list-style-type: none"> The planes will be visible from many surrounding areas 	<p>From a distance of 500m it is difficult to observe a model aircraft in flight unless the observer is seeking to find it in the sky.</p> <p>It is therefore considered highly unlikely that model aircraft in flight would have any significant impact on the character of the area or the safety of road users.</p> <p>Buildings are small scale and would not impact the scenic qualities of the area.</p>

ISSUES	COMMENTS
<ul style="list-style-type: none"> • A driver may be distracted by flying model aircraft and cause an accident • The area is overlooked and enjoyed by residents and the use would impact amenity of the area • Mt Ninderry recreation area overlooks wide areas, including the site, and would be adversely impacted by the proposed activities 	<p>Works associated with the use are not incompatible with the character of the site and surrounding rural area.</p>
<p>Impacts to Horse Riding School & Livestock</p> <p><u>Matters raised in objecting submissions.</u></p> <p>Concerns about the use impacting horses and riders at a nearby horse riding school (Ravens Park Equestrian Centre) have been raised including submissions citing:</p> <ul style="list-style-type: none"> • Flying aircraft could spook horses • The proposal is detrimental to the riding school • Horses will need to be relocated • Aero models and drones have a traumatic and dangerous impact on horses as it sends them into instant panic mode <p>Concerns have also been raised about the potential stress impacts to cattle and sheep on nearby farms, and the potential for stress to impact growth rates and pregnancy rates.</p> <p><u>Matters raised in supporting submissions.</u></p> <p>Information about the proximity of other clubs to areas accommodating horses and the potential impact on horses has been identified, including submissions citing:</p> <ul style="list-style-type: none"> • Many of the current flying fields are surrounded by paddocks with various livestock, including horses, which show no negative reactions to the noise from flying aircraft • As an experienced equestrian person, I can attest that horses and riders commonly perform in noisy locations (such as showgrounds) and get 	<p>The fly zone and associated facilities are well separated from the boundaries of the site and over 380m from Ravens Park Equestrian Centre, which appears to be the nearest property containing livestock.</p> <p>There are many Aeromodelling Clubs that operate in closer proximity to livestock and horse-riding facilities.</p> <p>The submitted application material included an acoustic report which confirms that the relevant noise criteria required to protect the health and wellbeing of the receiving environment will be readily achieved by the proposal.</p> <p>The acoustic report also indicates that the noise level at the nearest horse paddock when presented as a maximum noise level is approximately 43dB(A). This noise level is less than the measured daytime maximum ambient noise levels and substantially less than the acoustic quality objective criteria of 65dB(A) Lmax.</p> <p>Nearby equine facilities and livestock farms are therefore unlikely to be impacted by the proposed development.</p>

ISSUES	COMMENTS
<p>accustomed to noises and activity they are regularly exposed to</p> <ul style="list-style-type: none"> If the horses are not bothered by commercial aircraft flying overhead, they are unlikely to be bothered by much smaller and quieter aircraft at a similar distance away 	
<p>Traffic Impacts</p> <p><u>Matters raised in objecting submissions.</u></p> <p>Concerns about noise and dust impacts from people using Dynes Road for access to the site have been raised, including submissions citing:</p> <ul style="list-style-type: none"> Families along Dynes Road will be affected by dust Tank water will be contaminated by dust particulates A gravel road is not suitable for the traffic that could be generated by the use, including visitors who are not familiar with the road condition 	<p>Assessment of the traffic volume that would be generated by the development has determined that the impacts would be relatively minor, being equivalent to the impacts generated by additional dwellings being established on the premises.</p>
<p>Impacts to Birds, Fauna and Flora</p> <p><u>Matters raised in objecting submissions.</u></p> <p>Concerns about risk to birds from aircraft movements, about risk to birds and fauna from noise and about risk to fauna and flora from fire have been raised, including submissions citing:</p> <ul style="list-style-type: none"> The proposed activity does not align with the principles and promotion of conservation Animals will be forced to flee from the noise of the model aircraft and this may cause them to relocate to unsafe places or be hit by a vehicle Birds may be hit or killed by a flying model plane The noise and vibration from the planes will impact birds and wildlife <p><u>Matters raised in supporting submissions.</u></p>	<p>The development would be separated from nearby conservation areas by roads and/or other parcels of farmed land and residential uses.</p> <p>No evidence has been presented to indicate that model aircraft pose a threat to birds or wildlife.</p> <p>Model aircraft are likely to pose significantly less threat to birds and wildlife than vehicles, machinery or commercial aircraft, all of which already operate on or within the immediate vicinity of the site.</p> <p>The submitted application material included an acoustic report which confirms that the relevant noise criteria required to protect the health and wellbeing of the receiving environment will be readily achieved by the proposal.</p>

ISSUES	COMMENTS
<p>Information that the use does not impact wildlife has also been identified, including submission citing:</p> <ul style="list-style-type: none"> The mowed runways attract kangaroos that are unbothered by any noise created by model aircraft Native birds and ducks also seamlessly coexist with aircraft, with birds frequently flying with aircraft Where the club previously operated (Coolum Industrial Estate), there is an abundance of wildlife such as kangaroos, plovers, Jabiru, ducks and other migratory birds 	
<p>Operating Times</p> <p><u>Matters raised in objecting submissions.</u></p> <p>Concerns have been raised that the use would operate non-stop 7 days a week, from 7am to 4pm.</p> <p><u>Matters raised in supporting submissions.</u></p> <p>A number of submissions have confirmed that the nature of the use is intermittent, and reliant on good weather, adequate light, and favourable wind conditions, which limits operation of the use.</p> <p>A number of submissions have identified that flight days may only happen a few times of week, and due to local weather conditions, usually occur in the morning when the light is good, and wind is lighter.</p>	<p>The use may operate on consecutive days when the weather is suitable.</p> <p>A range of rural activities occur during daylight hours that would generate similar impacts to that proposed by the development.</p> <p>However, conditions can be imposed to further limit the scale and intensity of the use, to ensure the hours of operation appropriately maintain the community expectations for rural amenity.</p>
<p>Precedent for Similar Development</p> <p><u>Matters raised in objecting submissions.</u></p> <p>Concerns about an approval leading to similar types of development occurring in the area have been raised in submissions.</p> <p><u>Matters raised in supporting submissions.</u></p> <p>A few submissions have identified that other proposals for sports activities on rural sites would be subject to an impact assessable application.</p>	<p>The proposed development is for a unique type of activity and would not set a precedent.</p> <p>Any proposal for Outdoor Sport and Recreation in the Rural Zone would be assessed on its individual merits, having regard to the location, nature, scale, and intensity of the use.</p>

ISSUES	COMMENTS
<p>Planning Need</p> <p><u>Matters raised in objecting submissions.</u></p> <p>Concerns about need for the use have been raised, including submissions citing that no overriding need has been demonstrated.</p> <p><u>Matters raised in supporting submissions.</u></p> <p>Information about the need for the use to be accommodated within the Sunshine Coast region has been identified, including submissions citing:</p> <ul style="list-style-type: none"> • The existing club members live on the Sunshine Coast • The Phoenix Model Aviators Club which operates from Kiels Mountain is unable to accommodate any additional members • The sport is growing, with increasing interest in remote controlled aircraft, including drones • If there are insufficient flying clubs available for people to fly their aircraft, it may increase the possibility of people flying their aircraft in uncontrolled areas like public parks, sports grounds or on private properties 	<p>Overriding need is not required to be demonstrated for a potentially consistent use. Notwithstanding, provision of a range of recreational facilities meets a community need.</p>
<p>Community Impacts & Benefits</p> <p><u>Matters raised in objecting submissions.</u></p> <p>Concerns about local residents being disadvantaged to accommodate a small group of enthusiasts has been raised, including submissions citing:</p> <ul style="list-style-type: none"> • It is Council's responsibility to ensure the larger community is not impacted to meet the needs of the minority • Serving 100 plus model plane members will impact the lifestyle of 1,000s of people, and even more livestock and native animals • There is no benefit to anyone other than the Club members <p><u>Matters raised in supporting submissions.</u></p>	<p>The assessment has found that the local community would not be significantly impacted by the proposed development.</p> <p>The continuation of the existing Aeromodelling Club would maintain the recreational offerings currently available to Sunshine Coast residents.</p> <p>The provision of a range of facilities that provide for a mix of recreational activities and a benefit to the wider community.</p> <p>Aeromodelling is an educational activity as well as a recreational pursuit that provides individuals with an opportunity to develop technical skills that may improve their employability and employment opportunities.</p> <p>Aeromodelling is closely related to the aviation industry and also has links to other industries including surveying, photography, and videography.</p>

ISSUES	COMMENTS
<p>Information about the benefits to the community have been identified, including submission citing:</p> <ul style="list-style-type: none"> • Hobbies and recreational activities provide important social connections and a sense of community, which is an essential component of well-being • Social benefits – comradery and fun, inter-generational connections and friendships, community of people with a shared passion, whole of family involvement, includes people of all ages and backgrounds, provides a social and recreational pursuit for older people • Mental and physical health benefits – requires an active mind and a high level of attention, involves ongoing learning and teaching opportunities, engages people from all backgrounds and age groups, develops new motor skills, gets people outdoors • Educational benefits – building model aircraft, learning aerodynamics and how to fly a plane, learning how to operate and make repairs to remote controlled vehicles • Inclusionary – the sport is suitable for people with varying abilities and is non-discriminatory <p>Some submissions have identified that the activity also promotes key social learnings such as patience, courtesy, safety, and responsibility for others.</p> <p>Some submissions have identified that the hobby attracts a very large interest from Science, Technology, Engineering & Mathematics students, and people interested in the aerospace industry.</p> <p>Some submissions have noted that the activity requires a range of specific technical knowledge and skills not easily obtained from any other activity, and that can be applied to a career in the aviation industry, including aerodynamics, mechanical engineering, electrical engineering, construction, radio control frequency</p>	

ISSUES	COMMENTS
<p>systems, engine tuning, pre-flight safety checks, flight planning, traffic patterns, piloting.</p> <p>A few submissions noted that past junior members have successfully entered an aviation career as a result of association with the club.</p>	
<p>Economic Impacts & Benefits</p> <p><u>Matters raised in objecting submissions.</u></p> <p>Some submissions have indicated that the use would cause farming operations and other uses in the area to cease operating.</p> <p>Some submissions have raised concerns that the use would adversely impact property values in the area.</p> <p><u>Matters raised in supporting submissions.</u></p> <p>Some submissions have identified that the use attracts pilots, spectators, and associated visitors, which promotes the Sunshine Coast and supports the economy.</p>	<p>The development is considered to have a marginal economic benefit as the use is not intended to provide for regular competitions and events that would attract a significant number of visitors to the area.</p> <p>However, the activity may be considered to contribute to the growth of the local aviation industry, particularly in relation to the operation of remote-controlled aircraft, including drones, which are being utilised in a growing number of commercial applications.</p>
<p>Locational Impacts, Difficulties & Benefits</p> <p><u>Matters raised in objecting submissions.</u></p> <p>Concerns have been raised about the need for the use to occur in the particular location, including submissions citing:</p> <ul style="list-style-type: none"> • The activity should not be located where it would disadvantage a larger group of people than it benefits • An alternative location needs to be found where the use has no impact on the surrounding community • The area is farmland and it should be preserved for such uses • The proposed use is incompatible with traditional farming uses • Insufficient consultation has occurred with other clubs in the area • There is already a model plane club located at Maroochydore which is a perfect alternative for the club 	<p>Submissions including objections to the location are balanced by submissions including support for the location.</p> <p>It is noted that the activity has particular locational requirements and is most suited to be accommodated on large land parcels that achieve appropriate separation from sensitive land uses.</p> <p>It is considered that the use is appropriate to locate in a rural area where impacts can be avoided or mitigated.</p> <p>The location of the development would provide for the continuation of rural uses on the site and in the surrounding area.</p> <p>The nature of the use is considered to be compatible with the nature of rural uses that typically occur in a rural area, and in the location proposed.</p> <p>The scale of the use is relatively small scale and works and buildings associated with the development would not be incompatible with the existing built form character of the area.</p> <p>The intensity of the use can be managed through conditions to maintain rural amenity.</p>

ISSUES	COMMENTS
<ul style="list-style-type: none"> There are at least 6 model airplane clubs between Tin Can Bay and Beerwah, surely we do not need another club destroying the peace and quiet and ruining farmers lives There is a perfectly good site, approved and ready to go at Tin Can Bay where the club should be based Club members have just become comfortable travelling a short distance to their temporary site at Coolum which they always knew was not long term Could the people put it in their own backyard <p><u>Matters raised in supporting submissions.</u></p> <p>Some submissions have advised that land in the Rural zone provides the only available land to facilitate relocation of the club within the Sunshine Coast.</p> <p>Many submissions have identified that the proposed use is a 'potentially consistent use' in the rural zone and the application has demonstrated that any impacts can be conditioned or mitigated, proving that the use is therefore suitable for the site.</p> <p>Benefits about the suitability of the location have been identified, including submissions citing:</p> <ul style="list-style-type: none"> The site is well separated from any nearby sensitive uses The site is not adjacent to housing and will not impact rural activities The fly zone is clear of the airport exclusion zone and well below the obstacle limitation surface The land is flat and has large open areas around it, which make it a safe area to fly remote controlled aircraft Cropping activities are able to continue to occur around the areas intended to be used by the club Its location, including the orientation, makes the selected property ideal for a small runway adequate for safe 	<p>Other existing clubs in the region are at capacity and not able to accommodate a substantial increase in membership.</p> <p>The airfield at Tin Can Bay is not located within the Sunshine Coast and would not meet the needs of people who reside in the local area.</p> <p>The site meets the locational requirements of the club in terms of topography, orientation, available airspace and suitable access.</p>

ISSUES	COMMENTS
<p>operations of model aircraft during daylight hours</p> <ul style="list-style-type: none"> Existing members are local to the Sunshine Coast or Noosa and the site is central to the area where club members live 	
<p>Other Matters</p> <p><u>Matters raised in objecting submissions.</u></p> <p>Other matters have been raised in submissions that are not able to be addressed through the assessment of the application, including the following:</p> <ul style="list-style-type: none"> Works have been undertaken on the site prior to any development approval being given 	<p>A Show Cause Notice was issued to the Club for works that have been undertaken without approval. The Club seeks to remedy the situation by seeking approval for the works. Conditions are included to require an operational work approval to be obtained prior to commencement of works.</p>

Further to the above public notification requirements, 4 petitions have been received in relation to the application, including 1 petition recorded as a properly made submission, and 3 other petitions that were not properly made which were separately tabled at Council Ordinary Meetings. Two (2) of the petitions objected to the proposal and the other two (2) petitions supported the proposal. It is noted that the petitions included matters which were raised in submissions, and a number of signatories are also submitters to the application. All matters raised in the petitions have been considered in the above table.

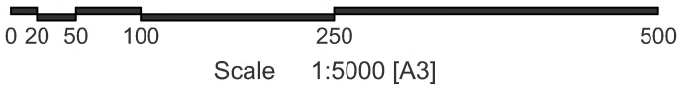
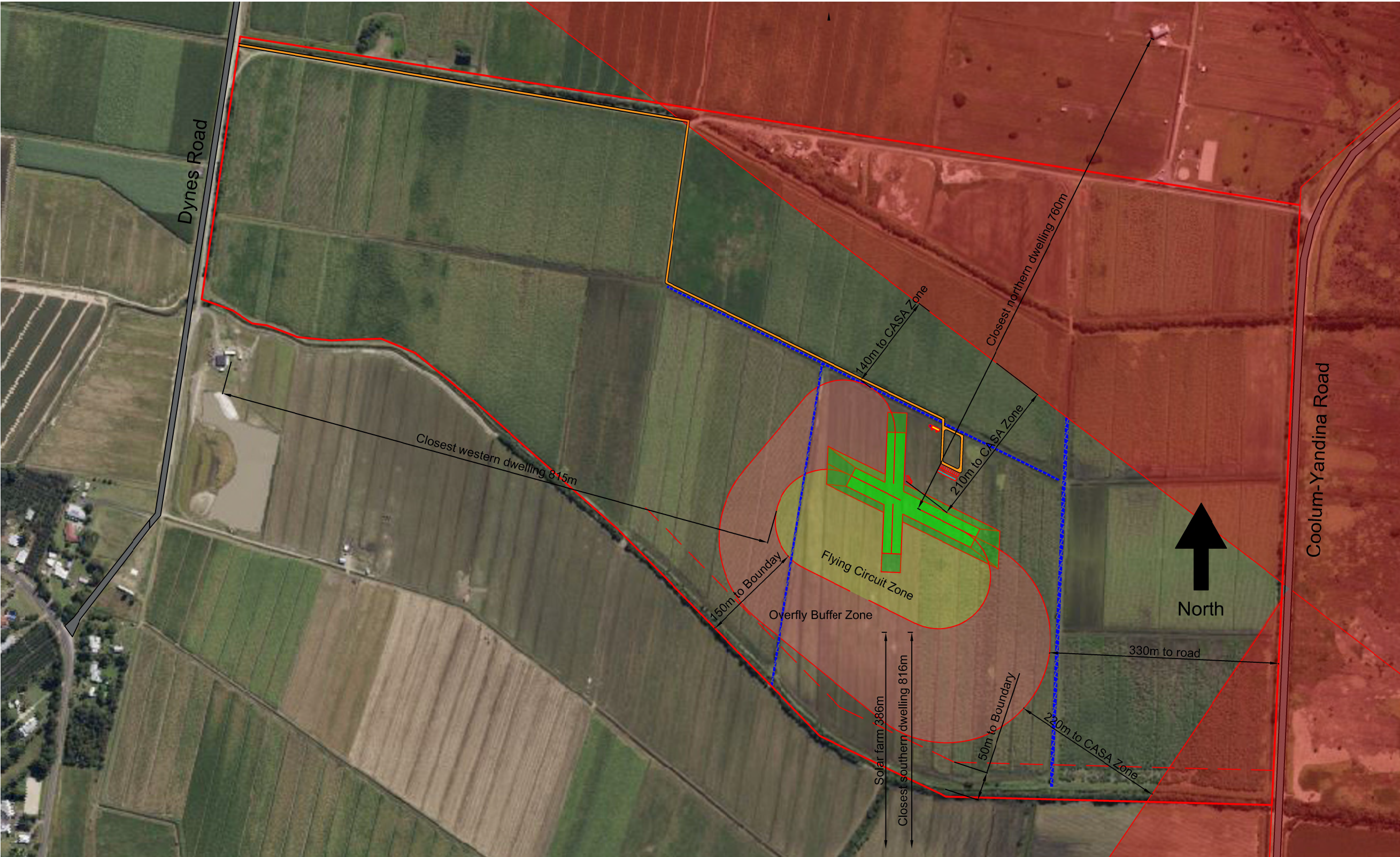
CONCLUSION:

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



LAYOUT PLAN
Suncoast Model Flyers Club
Proposed Facilities at 76-88 Dynes Rd Valdora

Drg:	SMFC-002
Rev:	A
Date:	7-04-2024



PROXIMITY PLAN
Suncoast Model Flyers Club
Proposed Facilities at 76-88 Dynes Rd Valdora

Drg:	SMFC-003
Rev:	A
Date:	7-04-2024

 <p>4m height from floor level</p> <p>Notes: Floor to a minimum 500mm above Council's specified flood level for the site</p> <p>Finish: low reflective roofing and cladding.</p>			
Material Change of Use Proposed amenities building – Elevation			Not to scale
Client: Suncoast Model Flyers	Project location: 801-845 Yandina Coolum Road, Valdora	Plan #: 100 Rev: A	Date: 10 April 2024

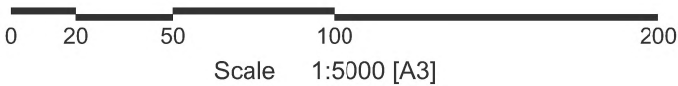


Runway Preparation Works

- Majority of existing area for runways is currently grassed. requiring slashing and minor levelling.
- Use 4 crimp roller to flatten remnant cane in eastern area of East West runway.
- Use agricultural machinery to achieve runway flatness with typical 50mm fall to perimeter drains on each side of runway without importing fill or borrow pits.
- Form perimeter drains. (nominal 2000mm wide x 200-300mm deep spoon drain)
- Maintain existing farm box drains (nominal 400mm x 400mm) where practical.
- Seed runways with suitable turf grass seed.

Access Road/ Carpark Works

- Use existing farm road network as shown on site location plan. (Drg 001)
- Fill localized low points with imported crushed bitumen and -75 scalps. Maximum imported volume 150m³.



EARTHWORKS LAYOUT PLAN
Suncoast Model Flyers Club
Proposed Facilities at 76-88 Dynes Rd Valdora

Drg:	SMFC-004
Rev:	A
Date:	7-04-2024

Attachment 3 Referral Agency Response

RA29-N



Our reference: 2405-40552 SRA
Your reference: MCU24/0113

20 November 2024

The Chief Executive Officer
Sunshine Coast Regional Council
Locked Bag 72
Sunshine Coast Mail Centre Qld 4560
mail@sunshinecoast.qld.gov.au

Attention: Zana Larikka

Dear Sir/Madam

Changed referral agency response—with conditions
(Given under section 28 of the Development Assessment Rules)

On 18 November 2024 SARA received notice of a change to the development application described below. SARA has assessed the changes and now provides this changed referral agency response which replaces the response dated 28 June 2024.

Response

Outcome:	Referral agency response – with conditions	
Date of response:	20 November 2024	
Conditions:	The conditions in Attachment 1 must be attached to any development approval	
Advice:	Advice to the applicant is in Attachment 2	
Reasons:	The reasons for the referral agency response are in Attachment 3	

Development details

Description:	Development permit	Material change of use for outdoor sport and recreation (aeromodelling club)
SARA role:	Referral agency	

2405-40552 SRA

SARA trigger: Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (10.9.4.2.4.1) (Planning Regulation 2017)

Development application for a material change of use within 25m of a state-controlled road

SARA reference: 2405-40552 SRA

Assessment manager: Sunshine Coast Regional Council

Street address: 801-845 Yandina Coolum Road, Valdora; **76-88 Dynes Road, Valdora**

Real property description: Lot 2 on SP277877; **lot 1 on SP277877**

Applicant name: Suncoast Model Flyers Incorporated

Applicant contact details: c/- Plan2Project Pty Ltd
173 Bridges Road
Bridges QLD 4561
luke@plan2project.com.au

Human Rights Act 2019 considerations: Consideration of the *Human Rights Act 2019* sections 15 to 35 has been undertaken as part of this decision. It has been determined that this decision does not limit human rights

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Tracey Beath, Senior Planning Officer, on 07 4924 2917 or via email RockhamptonSARA@dsdilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Anthony Walsh
Manager Planning

cc Suncoast Model Flyers Incorporated c/- Plan2Project Pty Ltd, luke@plan2project.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response provisions

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application)

No.	Conditions	Condition timing
Material change of use		
10.9.4.2.4.1 – Material change of use within 25m of a state-controlled road—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	Direct access is not permitted between Yandina-Coolum Road and the subject site.	At all times

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.0). If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA's decision are:

- SARA assessed the development against the following code(s) of the State Development Assessment Provisions (SDAP), version 3.0:
 - o State code 1: Development in a state-controlled road environment.
- The development complies with the assessment benchmarks of State code 1 of SDAP (version 3.0) in that the development:
 - o does not adversely impact the structural integrity or physical condition of the state-controlled road;
 - o does not adversely impact the function and efficiency of the state-controlled road.










Material used in the assessment of the application:

- the development application material (including the minor change) and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.0), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

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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:

- (a) receive and note the report titled "Birtinya Town Centre"**
- (b) decide to make a proposed Temporary Local Planning Instrument (Birtinya Town Centre) No. 4 of 2025 (Appendix A)**
- (c) 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**
- (d) 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**
- (e) 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

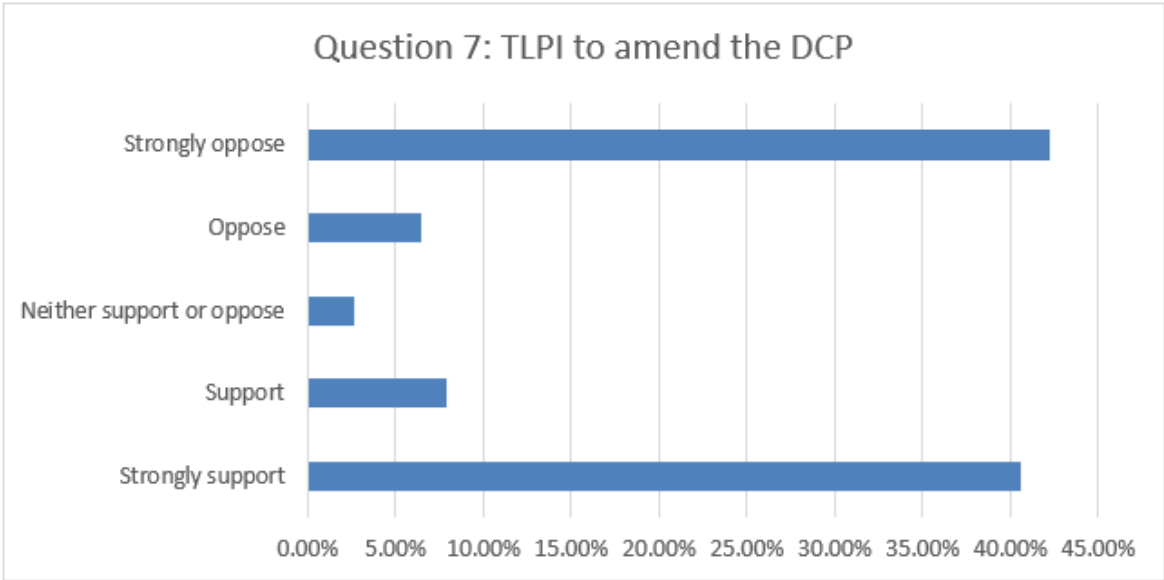
- a dedicated webpage on Council’s ‘Have Your Say’ website, including a copy of the proposed Temporary Local Planning Instrument, six fact sheets and an online Feedback Form
- social media posts including Facebook and LinkedIn
- two pop-up sessions held at Birtinya Shopping Centre on the following days:
 - 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

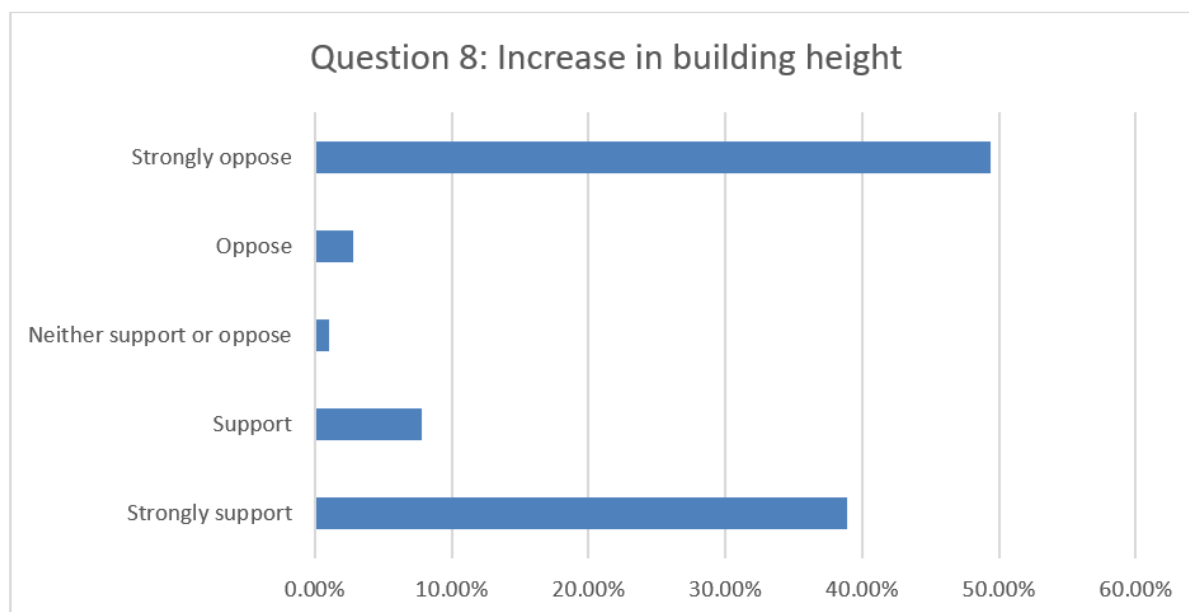
“To what extent do you support the proposal to give effect to a new master plan for Birtinya Town Centre by making the Temporary Local Planning Instrument to amend the Development Control Plan for Kawana Waters?”



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?"



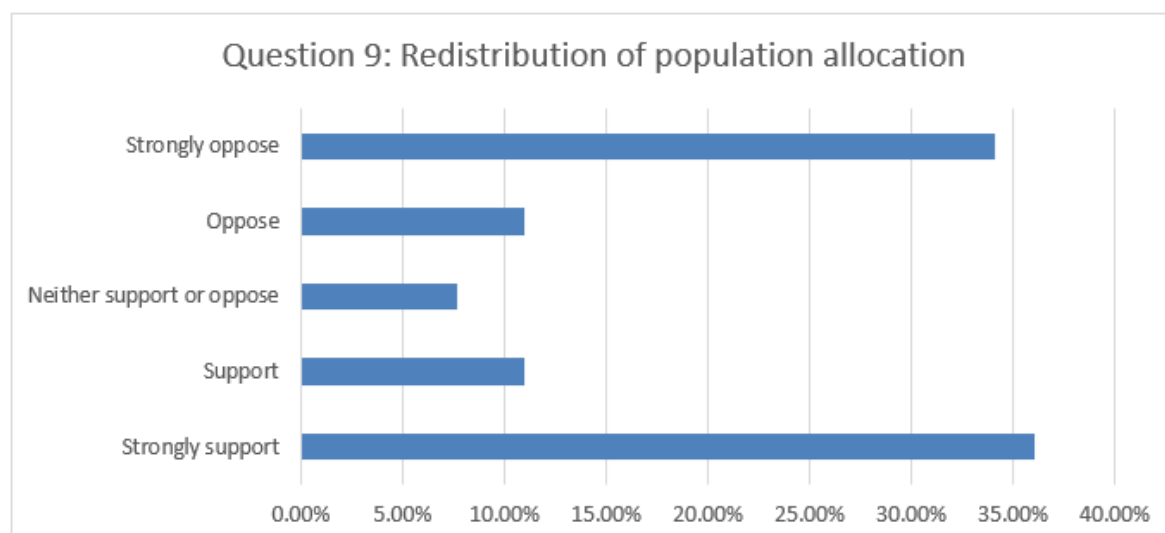
On question 8, 52% of respondents opposed/strongly opposed the proposed increase in building height, versus 47% who supported/strongly support it.

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.

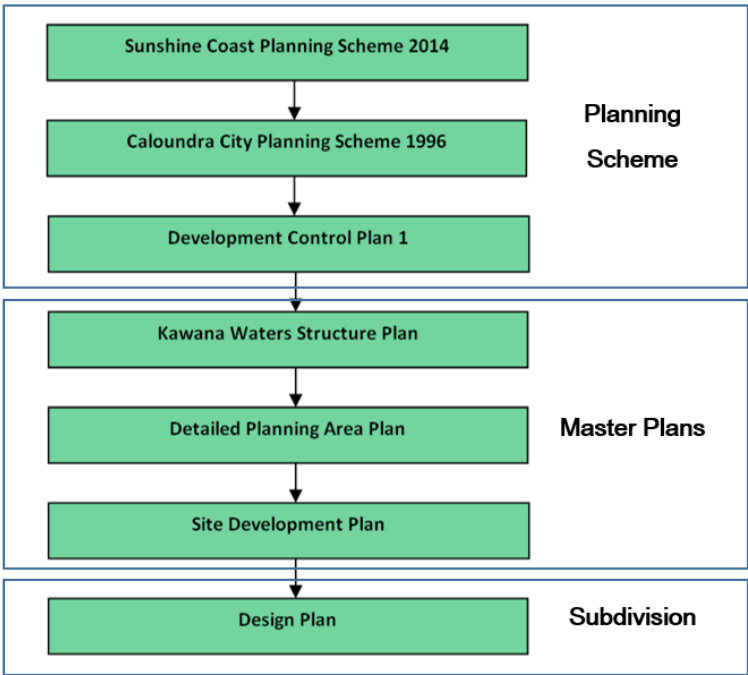


Figure 1 - Kawana Waters Master Planning Process

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**.

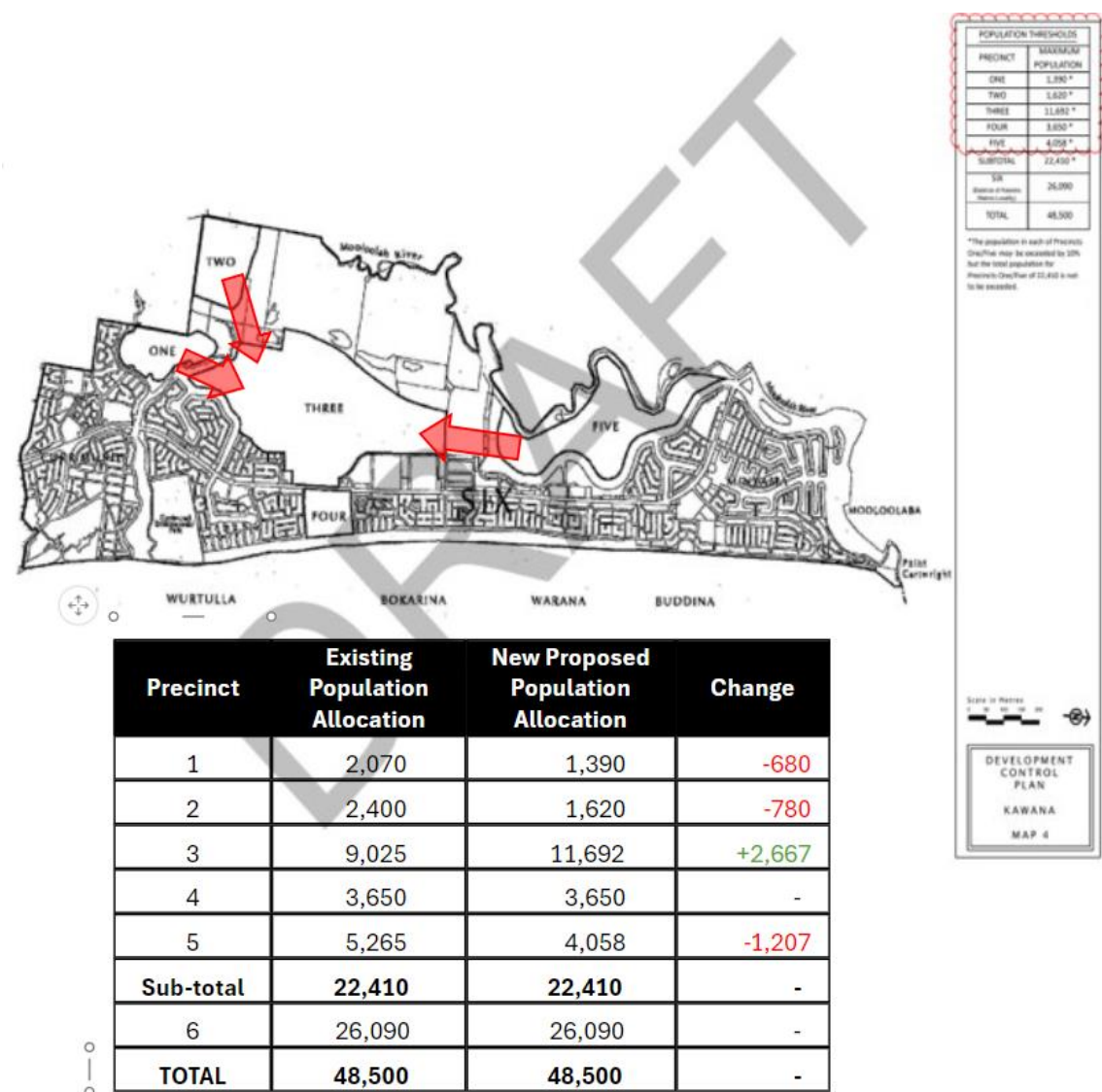


Figure 2 - Population quota reallocation.

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. Maroochydhore, 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
Maroochydhore 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).
Maroochydhore (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).

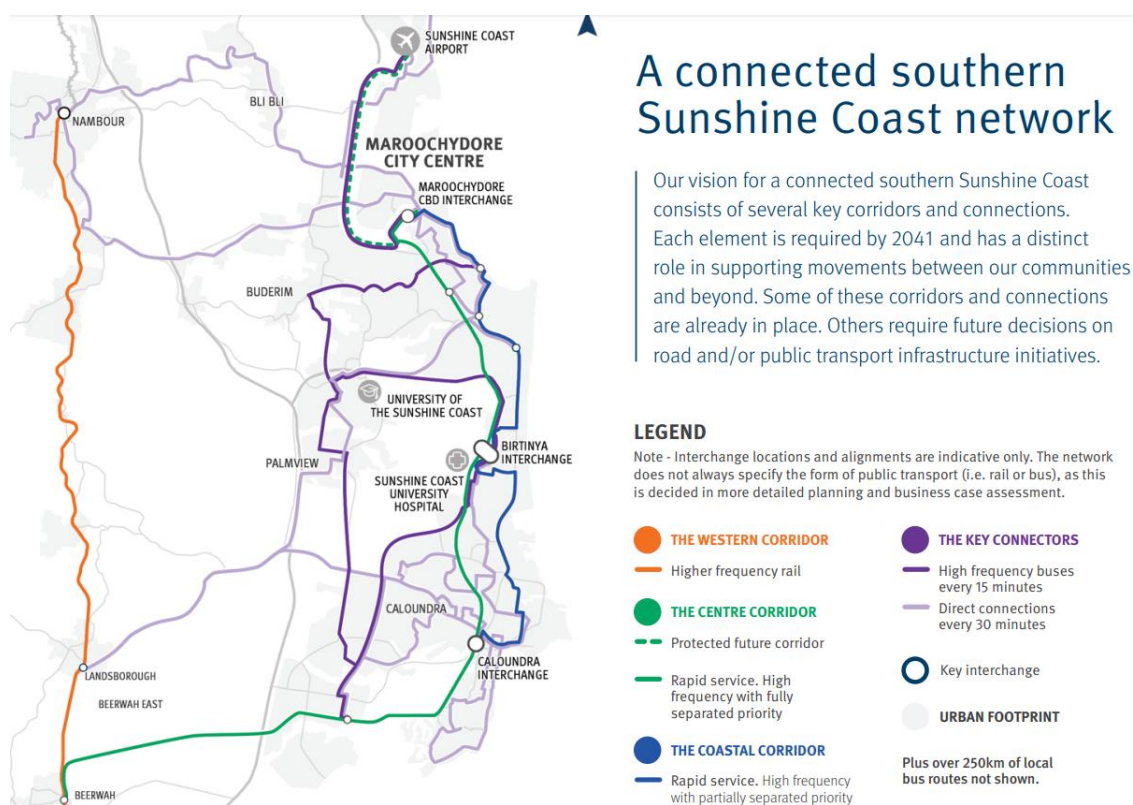


Figure 3 - Southern Sunshine Coast Public Transport Strategy (Department of Transport and Main Roads)

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.

Sunshine Coast Regional Council

Temporary Local Planning Instrument (Kawana Waters
Town Centre) No. 4 of 2025

Made under the *Planning Act 2016*, section 316
(Development control plans) and section 23 (Making or
amending TLPIs)

This temporary local planning instrument has effect on and from
[insert date]

**Temporary Local Planning Instrument (Kawana Waters Town
Centre) No. 4 of 2025**

Sunshine Coast Regional Council
Sunshine Coast Planning Scheme 2014

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**TEMPORARY LOCAL PLANNING INSTRUMENT
(Kawana Waters Town Centre) NO. 4 OF 2025**

Sunshine Coast Planning Scheme 2014

1. Short title

This temporary local planning instrument may be cited as *Temporary Local Planning Instrument (Kawana Waters Town Centre) No. 4 of 2025*.

2. Commencement and duration

This temporary local planning instrument has effect on and from [insert date] for a period of two years after this date unless it is repealed sooner.

3. Purpose

The purpose of this temporary local planning instrument is to suspend or otherwise affect the operation of the *Sunshine Coast Planning Scheme 2014* in so far as it relates to *Development Control Plan 1 Kawana Waters* which is an adopted development control plan under section 316(1)(c) (Development control plans) of the *Planning Act 2016* and section 86(4) of the repealed *Sustainable Planning Act 2009* to provide for in particular the following:

- (a) A response to the current demand for housing supply, affordability and diversity, by reallocating unutilised population quotas from fully developed parts of Kawana Waters to Birtinya, enabling an uplift in the number of dwellings and incorporating requirements for the provision of residential forms of development which contribute to the supply of housing diversity and affordability in Detailed Planning Area 13.
- (b) Increasing the maximum height of development in Detailed Planning Area 13.
- (c) Increasing the maximum height of development in Detailed Planning Area 11 for two key sites in North Birtinya.
- (d) The provision of a Motel in Detailed Planning Area 1 on Sportsmans Parade.
- (e) The requirement for a "Green Spine" open space area in Detailed Planning Area 13 that provides for recreational opportunities and active transport links.

4. Interpretation

Where a term in this temporary local planning instrument is not defined in the temporary local planning instrument, the term is to, unless the context otherwise indicates or requires, have the meaning assigned to it by:

- (a) the *Planning Act 2016*; or
- (b) the *Planning Regulation 2017*; or
- (c) *Development Control Plan 1 Kawana Waters* where the term is not defined in the *Planning Act 2016* or the *Planning Regulation 2017*.

5. Area to which this temporary local planning instrument applies

Page 3

**TEMPORARY LOCAL PLANNING INSTRUMENT
(Kawana Waters Town Centre) NO. 4 OF 2025**

Sunshine Coast Planning Scheme 2014

This temporary local planning instrument applies to the part of the local government planning scheme area to which *Development Control Plan 1 Kawana Waters* applies, being the part of the planning scheme area identified as "*Land within Development Control Plan 1 - Kawana Waters which is the subject of the Kawana Waters Development Agreement (see Section 1.2 - Planning Scheme Components)*" on Map SCC1 (Local government planning scheme area and context) of the *Sunshine Coast Planning Scheme 2014*. A copy of Map SCC1 (Local government planning scheme area and context) is reproduced in **Appendix A**.

6. Provisions suspended or otherwise affected

This temporary local planning instrument suspends or otherwise affects the operation of the *Sunshine Coast Planning Scheme 2014* in so far as it relates to *Development Control Plan 1 Kawana Waters* as follows:

- (a) Table 1, Column 1 states the part and section of *Development Control Plan 1 Kawana Waters* that is suspended or otherwise affected.
- (b) Table 1, Column 2 states the provision of *Development Control Plan 1 Kawana Waters* that is suspended or otherwise affected.
- (c) Table 1, Column 3 states whether the provision of *Development Control Plan 1 Kawana Waters* is suspended or otherwise affected by this temporary local planning instrument.

Table 1 Table of provisions of *Development Control Plan 1 Kawana Waters* suspended or otherwise affected

Column 1 Development Control Plan 1 Kawana Waters part and section	Column 2 Development Control Plan 1 Kawana Waters provision	Column 3 Effect of this temporary local planning instrument
Part A, section 2 (Interpretation and Definitions)	Section 2.3 (Definitions)	<i>Affect operation</i> as shown in Appendix B
Part A, section 4 (Land Use Elements - Intent and Implementation Criteria)	Section 4.10.2(b) (Detailed Planning Area 1 (DPA 1))	<i>Affect operation</i> as shown in Appendix B
	Section 4.10.2(b)(vi) (Detailed Planning Area 1 (DPA 1))	<i>Affect operation</i> as shown in Appendix B
	Section 4.10.2(b)(vi)(EA) (Detailed Planning Area 1 (DPA 1))	<i>Affect operation</i> as shown in Appendix B
	Section 4.10.2(b)(x) (Detailed Planning Area 1 (DPA 1))	<i>Affect operation</i> as shown in Appendix B

TEMPORARY LOCAL PLANNING INSTRUMENT
(Kawana Waters Town Centre) NO. 4 OF 2025

Sunshine Coast Planning Scheme 2014

Column 1 Development Control Plan 1 Kawana Waters part and section	Column 2 Development Control Plan 1 Kawana Waters provision	Column 3 Effect of this temporary local planning instrument
	Section 4.10.2(l)(vi) (Detailed Planning Area 11 (DPA 11) – Birtinya Island)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(l)(vi-i) (Detailed Planning Area 11 (DPA 11) – Birtinya Island)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(l)(x) (Detailed Planning Area 11 (DPA 11) – Birtinya Island)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(ii) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(iii) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(iii-i) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(iv) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(v) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(v)(AA) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(v)(B) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>

TEMPORARY LOCAL PLANNING INSTRUMENT
(Kawana Waters Town Centre) NO. 4 OF 2025

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Column 1 Development Control Plan 1 Kawana Waters part and section	Column 2 Development Control Plan 1 Kawana Waters provision	Column 3 Effect of this temporary local planning instrument
	Section 4.10.2(n)(v)(E) Detailed Planning Area 13 (DPA 13) – Town Centre	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(v)(G) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(v)(H) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(vi)(B) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(vi)(C) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(vi)(CA) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(vi)(D) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(vi)(E) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(vi)(F) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(vi)(G) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(viii) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>
	Section 4.10.2(n)(viii)(A) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation as shown in Appendix B</i>

TEMPORARY LOCAL PLANNING INSTRUMENT
(Kawana Waters Town Centre) NO. 4 OF 2025

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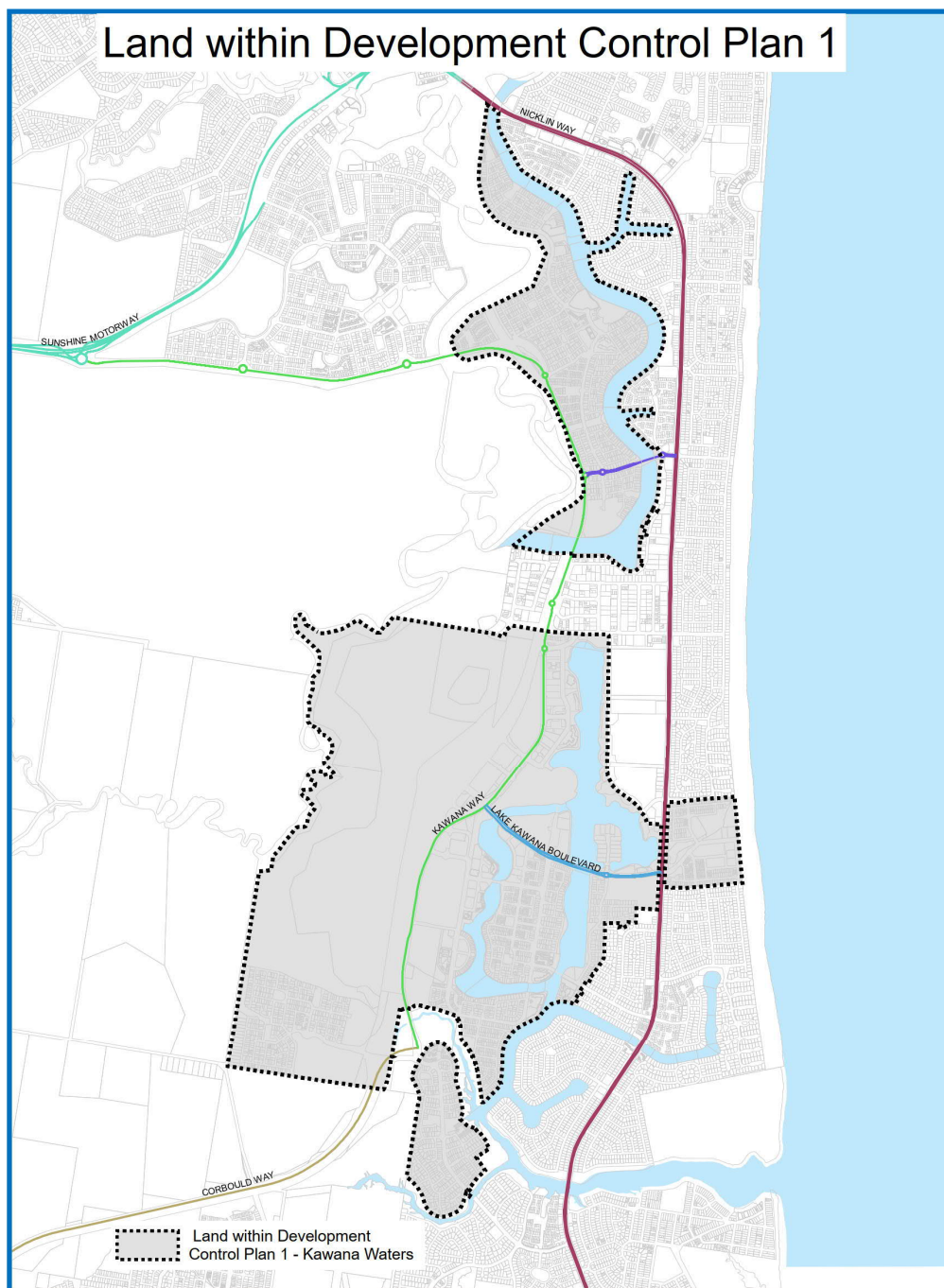
Column 1 Development Control Plan 1 Kawana Waters part and section	Column 2 Development Control Plan 1 Kawana Waters provision	Column 3 Effect of this temporary local planning instrument
	Section 4.10.2(n)(viii)(B) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation</i> as shown in Appendix B
	Section 4.10.2(n)(viii)(C) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation</i> as shown in Appendix B
	Section 4.10.2(n)(viii)(D) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation</i> as shown in Appendix B
	Section 4.10.2(n)(ix) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation</i> as shown in Appendix B
	Section 4.10.2(n)(ix)(A) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation</i> as shown in Appendix B
	Section 4.10.2(n)(ix)(B) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation</i> as shown in Appendix B
	Section 4.10.2(p)(iii)(Detailed Planning Area 15 (DPA 15) - Birtinya Island East)	<i>Affect operation</i> as shown in Appendix B
Part A, section 5 (Circulation Network - Intent and Implementation Criteria), section 5.5 (Town Centre Streets)	Section 5.5.2(a) (Implementation)	<i>Affect operation</i> as shown in Appendix B
	Section 5.5.2(a)(ii) (Implementation)	<i>Affect operation</i> as shown in Appendix B
	Section 5.5.2(a)(ii)(B)(1) (Implementation)	<i>Affect operation</i> as shown in Appendix B
	Section 5.5.2(b)(ii) (Implementation)	<i>Affect operation</i> as shown in Appendix B
Part A, section 5 (Circulation Network - Intent and Implementation Criteria), section 5.7 (Public Transport Routes)	Section 5.7.2(d) (Implementation)	<i>Affect operation</i> as shown in Appendix B

TEMPORARY LOCAL PLANNING INSTRUMENT
(Kawana Waters Town Centre) NO. 4 OF 2025

Sunshine Coast Planning Scheme 2014

Column 1 Development Control Plan 1 Kawana Waters part and section	Column 2 Development Control Plan 1 Kawana Waters provision	Column 3 Effect of this temporary local planning instrument
Part A	Appendix 1 (Community Recreation & Open Space Model 1) – Precinct Parks	<i>Affect operation</i> as shown in Appendix B
	Appendix 1 (Community Recreation & Open Space Model 1) – Neighbourhood Parks	<i>Affect operation</i> as shown in Appendix B
Part B Maps	DCP 1 Map 4 (Population Thresholds)	<i>Suspend and affect operation</i> DCP 1 Map 4 as included in Appendix B
	DCP 1 Map 6 (Map of Birtinya DPA, Bokarina Beach DPA, Town Centre DPA, Health Hub DPA, Birtinya Peninsula DPA and Birtinya Island East DPA)	<i>Suspend and affect operation</i> DCP 1 Map 6 as included in Appendix B
	DCP 1 Map 7 (Future Public Transport Corridor Lake Kawana Boulevard to Regional Hospital)	<i>Suspend and affect operation</i> DCP 1 Map 7 as included in Appendix B

Appendix A Map SCC1 Local government planning scheme area and context



Appendix B Development Control Plan 1 Kawana Waters

DEVELOPMENT CONTROL

PLAN 1

KAWANA WATERS

Gazetted - 13th December 1996

Amended - 19th October 2018

33985508_1

Caloundra City Council

Planning Scheme

DCP 1 - KAWANA WATERS

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6. MISCELLANEOUS/ PROVISIONS APPLYING THROUGHOUT THE DCP AREA
7. MASTER PLANNED COMMUNITY DEVELOPMENT PROCESS

DCP 1 KAWANA WATERS

Caloundra City Council

Planning Scheme

1.0 INTRODUCTION

1.1 The DCP Area

The DCP Area comprises that part of the planning scheme area of the Council which is the subject of the Development Agreement as shown on DCP 1 Map 1.

1.2 The intent of DCP

The provisions of the DCP are intended to:-

- (a) guide the nature and extent of future Development in the DCP Area in a manner that is consistent with the objectives and general implementation provisions of the Strategic Plan of the Planning Scheme; and
- (b) control the planning, Subdivision and Development of the DPAs and areas designated Urban under the DCP through the MPCDP set out in section 7 of the DCP; and
- (c) be considered in the assessment of applications for a decision in respect of:-
 - (i) Subdivision; and
 - (ii) Development; and
 - (iii) Building works; and
 - (iv) a Master Plan in accordance with the MPCDP in section 7 of the DCP.

1.3 Structure of DCP

The DCP consists of three parts:-

Part A - A written document which:-

- (a) identifies preferred land uses throughout the DCP Area (section 3); and
- (b) provides detailed statements of intent for each land use element and the means of implementation through which those intents will be achieved (section 4); and
- (c) provides more detailed planning guidelines for each DPA (section 4); and
- (d) identifies the major components of an integrated circulation network throughout the DCP Area and the means by which the overall network will be implemented (section 5); and
- (e) identifies general Development requirements which are to apply throughout the DCP Area (section 6); and
- (f) specifies the MPCDP by which the DPAs and the Urban designated area within the DCP Area are to be planned, Subdivided and Developed (section 7); and

Caloundra City Council

Planning Scheme

Part B - Maps being:-

- (a) DCP 1 Map 1 - which identifies the preferred land use; and
- (b) DCP 1 Map 2 - which identifies the preferred open space and circulation network and the preferred location of community facilities; and
- (c) DCP 1 Map 3 - which identifies each DPA; and
- (d) DCP 1 Map 4 - which identifies population thresholds; and
- (e) DCP 1 Map 5 - which identifies the structure of DPA 9; and
- (f) DCP 1 Map 6 - which identifies the structure of DPA 2, DPA 11, DPA 12, DPA 13, DPA 14 and DPA 15; and
- (g) DCP 1 Map 7 - which identifies the future public transport corridor.

Part C - Planning Study which sets out the basis for the written document and the maps.

2.0 **INTERPRETATION AND DEFINITIONS**

2.1 **Relationship with Planning Scheme**

- 2.1.1 The provisions contained in the DCP are additional to those contained in the remainder of the Planning Scheme and as such are to be read in conjunction with the other Planning Scheme documents.
- 2.1.2 To the extent that there is any inconsistency between the DCP and the remainder of the Planning Scheme, the DCP shall prevail.

2.2 **Construction**

Unless the context otherwise indicates or requires:-

- (a) the terms defined in section 2.3 have the meanings respectively assigned to them; and
- (b) any term used in the DCP which is not defined in section 2.3 but is defined in the Act, or the Planning Scheme, shall have the meaning assigned to it by the Act, or the Planning Scheme for the purposes of the DCP; and
- (c) words importing:-
 - (i) the singular include the plural and vice versa; and
 - (ii) any gender includes the other gender; and
- (d) if a word or phrase is defined, cognate words and phrases have corresponding definitions.

2.3 **Definitions**

"**Act**" means the *Local Government (Planning and Environment) Act 1990*.

"**Appointed Day**" means the day upon which the Order in Council notifying that the Governor in Council has approved the DCP as published in the Government Gazette.

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"Carparking Management Plan" means a written document which is prepared and approved in accordance with the Development Agreement.

"Conditional Permitted Development" means Development for a purpose specified in column 4 of the applicable Table of Development.

"Community Centre pedestrian access bridge" means the pedestrian access bridge between the Lake Kawana Community Centre and the Town Centre DPA which is designed and approved in accordance with the Development Agreement.

"Community Development Strategy" has the meaning ascribed to it in the Development Agreement.

"Community Purpose" means the use of land:

- (a) undertaken by a government entity or agency, a charitable organisation or a not-for-profit community organisation; and
- (b) for a purpose to the benefit of the community or a part of the community, including for example the provision of support services for the sick or needy or their families or the operation of a community biobank.

"Council" means the Sunshine Coast Regional Council and includes its successors and permitted assigns.

"DCP" means the Kawana Waters Development Control Plan.

"DCP Area" see section 1.1.

"Detailed Planning Area Plan" means a plan prepared pursuant to section 7.4.3.

"Development" means the:-

- (a) Use of Premises; or
- (b) erection of Buildings or Structures.

"Development Agreement" means the Development Agreement between the Council, the Master Developer and the Minister dated 6th September 1996 which is intended to constitute an infrastructure agreement under Part 6 of the Act.

"Development Criteria" means the parameters, performance standards or requirements that control the general or particular standard of Development as set out in the DCP, the Planning Scheme or a Master Plan.

"Development Documents" means:-

- (a) Development Lease No 2; and
- (b) the DCP and the Planning Scheme; and
- (c) the Transport Infrastructure Agreement; and
- (d) the Development Agreement; and
- (e) the Infrastructure Agreement.

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"Development Lease No 2" has the meaning ascribed to it in the Development Agreement and includes the Development Lease No 2 Amendments and Development Lease No 2 Extension as defined in the Development Agreement, and any document which replaces it.

"Development Lines" has the meaning ascribed to it in the Development Agreement.

"DPA" means the Detailed Planning Areas shown on DCP 1 Map 3.

"Existing Use" means Development which lawfully existed at the Appointed Day.

"Freehold Land" means the land which was freehold at the Appointed Day.

"Freehold Lease Land" means land comprised in Development Lease No 2 within the DCP Area which is freehold after the Appointed Day.

"Green Spine" means a linear open space area located in DPA 13 providing recreational opportunities and active transport links between the Community Centre pedestrian access bridge, South Bank pedestrian and cycle access bridge and Transit Station, comprising a Neighbourhood Park, Precinct Park, Civic Plaza, and Transit Thoroughfare.

"Health Industry" means a use of Premises for health care industry research and development.

The term includes the design, manufacture, assembly, testing, maintenance or storage of health care industry products and an associated office. The term does not include a Health Care Premises or Hospital.

"Infrastructure Agreement" means the Infrastructure Agreement with respect to the Regional Hospital Land between the Council, the Master Developer, the Minister and State of Queensland acting through Queensland Health dated 18 May 2007 which is intended to constitute an infrastructure agreement under the *Integrated Planning Act 1997*.

"Kawana Waters Community Development Area" means that part of the DCP Area designated Urban or DPA on DCP 1 Maps 1 and 3.

"Kawana Waters Locality" means the land shown on DCP 1 Map 1 as the Kawana Waters locality.

"Master Developer" means Kawana Estates Pty Ltd (ACN 009693556) and Buddina Estates Pty Ltd (ACN 009682384) which are parties to the Development Agreement and includes their successors, substitutes (including but not limited to persons taking by a novation) and permitted assigns.

"Master Plan" means any of the following plans:-

- (a) Structure Plan; and
- (b) Neighbourhood/Village Plan; and
- (c) Detailed Planning Area Plan; and
- (d) Precinct/Estate Plan; and
- (e) Site Development Plan.

"Minister" means the Minister having responsibility for the administration of Development Lease No. 2.

"MPCDP" means the master planned community development process which is an integrated approach to the planning, Subdivision and Development of part of the DCP Area set out in section 7 of the DCP.

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"Multi-Modal Transport Corridor" means the multi-modal transport corridor set out in the Transport Infrastructure Agreement.

"Neighbourhood/Village Plan" means a plan prepared pursuant to section 7.4.2.

"Permitted Development" means a Development for a purpose specified in column 3 of the applicable Table of Development.

"Permissible Development" means a Development for a purpose specified in column 5 of the applicable Table of Development.

"Planning Scheme" means the Planning Scheme of the City of Caloundra gazetted on 2 August 1996.

"Planning Study" means the planning study prepared under the Act in respect of the Kawana Waters Development Control Plan.

"Precinct/Estate Plan" means a plan prepared pursuant to section 7.4.4.

"Prescribed Fee" means the fee prescribed by the Council unless otherwise set out in the Development Agreement.

"Prescribed Form" means the form prescribed by the Council.

"Prohibited Development" means Development for a purpose specified in column 6 of the applicable Table of Development.

"Public Recreation Lake" means that part of the DCP Area identified as the public recreation lake on DCP 1 Map 1.

"Public Transport Corridor" means the future public transport corridor set out in the Development Agreement.

"Regional Hospital" means a use of premises for a hospital as defined in the Planning Scheme and may include the following uses, as defined in the Planning Scheme, where associated with and ancillary to the hospital:-

- (a) accommodation building;
- (b) child care centres;
- (c) commercial premises;
- (d) educational establishment;
- (e) food outlet;
- (f) health care premises;
- (g) public purpose;
- (h) restaurant; and
- (i) shop.

"Site Development Plan" means a plan prepared pursuant to section 7.4.5.

"Site Development Plan Design Parameters" means the site design parameters specified in a Neighbourhood/Village Plan or Detailed Planning Area Plan to control Development the subject of a Site Development Plan.

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"**Southbank Park pedestrian and bicycle access bridge**" means the pedestrian access bridge between the Village Park in the North Birtinya Precinct and the Town Centre East Precinct across the Birtinya Canal which is designed and approved in accordance with the Development Agreement.

"**Structure**" has the meaning ascribed to it in the Act.

"**Structure Plan**" means a plan prepared pursuant to section 7.4.1.

"**Subdivision**" has the meaning ascribed to it in the Act and in addition includes the division of Premises in accordance with Building Units and Group Titles Act 1980, the Mixed Use Development Act 1993 and any other statute which provides for the division of Premises.

"**Sunshine Coast Public Transport project**", means the planned high frequency, medium capacity, local transit system located within the coastal corridor between Maroochydore, Birtinya and Caloundra. The term includes any other name given to this project in future.

"**Supplementary Table of Development**" means the table of development specified in a Site Development Plan that complies with the principles in Table 4.10.

"**Table of Development**" means the table of development applicable to the relevant zone as specified in the Planning Scheme.

"**Terrace House**" means a dwelling house on a lot with a frontage not greater than 8.5 metres which is built to the side boundaries of the lot and which together with dwelling houses on adjoining lots gives the appearance of a continuous built form along the frontage of the lots.

"**Transport Infrastructure Agreement**" has the meaning ascribed to it in the Development Agreement.

"**Urban Design Performance Criteria**" means the urban design performance criteria and acceptable solutions which are specified in:-

- (a) a Neighbourhood/Village Plan to control Development within a Precinct/Estate plan; and
- (b) a Detailed Planning Area Plan to control Development in a Site Development Plan.

"**Use**" means those purposes described in columns 3, 4, 5 or 6 of the Table of Development.

"**Water Pollution Control Plant Buffer Area**" means the land within a separation distance of 800 metres from the current inlet structure of the Water Pollution Control Plant within which:

- (a) residential or other uses which require people to remain on the site for extended periods of time is not permitted; and
- (b) uses of an industrial or recreational nature are permitted.

3.0 LAND USE ELEMENTS

The DCP indicates preferred land uses and major elements of the circulation network within the DCP Area. The preferred land use elements of the DCP are identified in DCP 1 Maps 1-4 and described below.

3.1 Preferred Land Use Elements

The Strategic Plan designates the preferred dominant land use for land within the DCP Area as Urban.

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3.2 Residential Elements	
3.2.1 Urban	<p>This designation is intended to accommodate a variety of housing forms and compatible non-residential uses comprehensively planned and Developed to provide an integrated urban fabric which caters for a variety of urban lifestyle choices. The detailed planning, Subdivision and Development of these areas will be undertaken in accordance with the MPCDP as set out in section 7 of the DCP.</p>
3.3 Open Space Elements	
3.3.1 Open Space - Recreation	<p>This designation covers major active and passive open space areas providing recreational opportunities for residents and visitors to the DCP Area and the other parts of the Kawana Waters Locality. The designation incorporates all levels of open space provision from those meeting regional requirements to local parks.</p>
3.3.2 Open Space - Conservation	<p>This designation covers areas of environmental significance and/or scenic value which should be preserved in their natural state. Controlled public access and appropriate management is considered desirable in these areas.</p>
3.4 Business Elements	
3.4.1 Town Centre	<p>This designation provides for the Development of a mix of high density land uses including business, residential, cultural, government, community and employment focus (including retail, commercial and Health Industry uses) to serve the sub-regional population catchment. This designation is intended to maximise opportunities associated with the Public Transport Corridor, Transit Station and close proximity to the Regional Hospital.</p>
3.4.2 Village Centre	<p>This designation provides for centres that provide a limited range of retailing services to serve a population of up to 10,000 persons in discrete neighbourhoods. Such Village Centres would normally be about 5,000m² site area. Village Centres are intended to provide a focal point for the community by integrating the neighbourhood commercial facilities, with a range of community facilities and the Village Park System.</p>
3.4.3 Neighbourhood Centre	<p>This designation covers small existing or approved local shopping centres.</p>
3.5 Community Facilities Elements	
	<p>This designation represents the major community facilities and includes the following existing and proposed uses:-</p> <ul style="list-style-type: none">(a) Schools;(b) Regional Hospital;(c) Churches;(d) Major Public Utility Installations;(e) Child Care Centres/Kindergarten;

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- (f) Community Halls;
- (g) Community Centres;
- (h) Non-Government Organisation Community Facility;
- (i) Neighbourhood House;
- (j) Branch Library/Learning Centre;
- (k) Cultural Centre;
- (l) Surf Life Saving Club;
- (m) Lifeguard Facilities;
- (n) Public Access Club Facilities;
- (o) State Emergency Service;
- (p) Public Domain (Mall); and
- (q) other recommended community facility requirements detailed in the Community Development Strategy.

3.6 Tourism Development

This designation indicates areas intended to be Developed as focal points for tourist activities providing a range of services including accommodation, entertainment, recreation or similar facilities for use mainly by visitors holidaying in or passing through the DCP Area and the other parts of the Kawana Waters Locality.

3.7 Detailed Planning Areas (DPAs)

This designation covers a number of significant areas which by virtue of their location, site or other attributes warrant more detailed planning consideration. There are 15 DPAs identified on DCP 1 Map 3 as DPAs 1-15 of which DPA 1, DPA 2, DPA 4, DPA 7, DPA 9, DPA 10, DPA 11, DPA 12, DPA 13, DPA 14 and DPA 15 are within the DCP Area and subject to the DCP. The detailed planning and Development of the DPAs in the DCP Area is to be undertaken in accordance with the MPCDP and associated planning and design guidelines set out in the DCP.

3.8 Circulation Network Elements

3.8.1 State Controlled Roads

This designation identifies existing and proposed arterial roads which serve a State and regional function and pass through the DCP Area and the other parts of the Kawana Waters Locality. The designation is limited to the existing Nicklin Way and the proposed Multi-Modal Transport Corridor (MMTC). The MMTC is a multi-modal transport corridor and includes a public transport facility and a regional road facility connecting Caloundra Road and the Sunshine Motorway and a local road facility that directly services the future Development within the DCP Area and the other parts of the Kawana Waters Locality.

3.8.2 Sub-Arterial Roads

This designation identifies existing and proposed sub-arterial roads which serve a sub-regional or local function. Sub-arterial roads link to arterial roads and provide access from them into the DCP Area and the other parts of the Kawana Waters Locality.

3.8.3 Trunk Collector Streets

Trunk Collector Streets link to higher order roads and are the main traffic routes into and through areas of residential and other forms of Development.

3.8.4 Collector Streets

This symbol identifies the location of streets which are intended to provide for local access and local traffic movement.

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3.8.5 Bikeways/Pedestrian Links

This designation indicates the major pedestrian and bikeway linkages which are intended to be incorporated in the planning and Development of an area.

4.0 LAND USE ELEMENTS - INTENT AND IMPLEMENTATION CRITERIA

4.1 Urban

4.1.1 Intent

The intent of this designation is to identify those large undeveloped areas within the DCP Area which are intended to be Developed predominantly for residential purposes. These areas are intended to provide a variety of housing forms ranging from detached housing at traditional densities to medium density housing up to 8 storeys in height in strategic locations identified through the MPCDP. The designated areas are intended to be comprehensively planned and designed to result in an integrated residential community incorporating compatible non-residential uses to meet the needs of the community.

4.1.2 Implementation

- (a) The detailed planning, Subdivision and Development of these areas will be undertaken in accordance with the MPCDP set out in section 7 of the DCP. Development will not be permitted unless it is in accordance with the Master Plans required by this DCP.

A particular area has an Urban designation but has special characteristics namely the area referred to as the Perrins Highland. The Perrins Highland area has been particularly identified and is addressed in section 4.10.2(k) as Detailed Planning Area 10.

- (b) The planning and design of the Urban designated areas shall comply with the following objectives and guidelines:-
- (i) Provision of a variety of housing forms and densities integrated throughout the residential areas to meet the changing needs for more diverse residential accommodation choices, and to assist in making more efficient use of finite land resources and urban infrastructure.
 - (ii) Residential Development will be predominantly of one and two storeys with three and four storey forms acceptable in appropriate locations to provide scale and variation and enhance residential amenity and choice.
 - (iii) Mid-rise residential Development up to 8 storeys will be acceptable in strategic locations as identified through the MPCDP to achieve diversity to the landscape.
 - (iv) Uses which are ancillary to the predominant residential uses and intended to serve the needs of the community at the regional, district, village, neighbourhood, precinct or estate level, are intended to be permitted in this designation where they are in accordance with the provisions of the appropriate Master Plan and designed to ensure their compatibility with nearby residential development.
 - (v) A Village Centre is intended to be provided as the focal point for the Urban communities at Parrearra and Birtinya. Due to the lower population, however and necessarily linear nature of Parrearra and Birtinya these centres will fall between a Village Centre and a Neighbourhood Centre in scale and function. Neighbourhood Centres offering limited commercial and community facilities, subject to population catchment size, are intended to

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be Developed in that part of the DCP Area referred to as the Perrins Highland. These Centres will integrate neighbourhood commercial and community facilities and be highly accessible to the surrounding residential area for pedestrians and cyclists as well as vehicles.

4.2 Open Space - Recreation

4.2.1 Intent

This designation is intended to identify land required to satisfy the recreational and open space needs of the local community and visitors to the DCP Area and the other parts of the Kawana Waters Locality. The Open Space Recreation areas are intended to form part of a linked, hierarchical open space network providing for a range of activities and uses including:-

- (a) public access to Community Facilities and other areas of "public" attraction or activity;
- (b) recreational opportunities, both land and water based, matching the needs of existing and future residents and visitors;
- (c) visual amenity and promotion of a "sense of place" and different character throughout the DCP Area and the other parts of the Kawana Waters Locality; and
- (d) environmental protection and landscape amenity improvement.

4.2.2 Implementation

- (a) DCP 1 Map 2 identifies the preferred network of higher-order Open Space Recreation areas in the DCP Area. This network is integrated with the existing open space facilities in other parts of the Kawana Waters Locality.

The Council will ensure that Open Space Recreation is provided generally in conformance with this preferred network and in accordance with the open space planning and design criteria set out below and as summarised in Table 4.2 and the more detailed planning and design criteria set out in the Community Recreational & Open Space Model included in the DCP as Appendix 1.

- (b) Open Space Recreation provision will be assessed in accordance with the following general performance criteria:-
 - (i) Wherever possible Open Space Recreation should be provided in such a fashion as to maximise its visibility to the community it services, and be recognised as open space offering access to recreational opportunities for both the resident and visiting population.
 - (ii) Open Space Recreation must be convenient to its intended users, both in terms of ease of access and in meeting the user's recreational and amenity needs.
 - (iii) Wherever possible the larger areas of Open Space Recreation should be planned and designed for multi-functional usage, affording a range of recreational opportunities to cater for a wider user population, and provide flexibility to meet changes in future usage.
 - (iv) Open Space Recreation should be used as a protective buffer to environmental conservation areas, or as a buffer between incompatible land uses provided it satisfies the performance criteria related to its recreational function.
 - (v) Recognition of the significance of the waterways in providing recreational opportunities, particularly the northern Birtinya waterway, on the basis that public use of such areas is

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maximised through the provision of visible and accessible areas and facilities for public access.

In this context it is further recognised that to satisfy the residential amenity intent public access to the Birtinya Lake system should be limited to a Public Recreation Lake component of that lake system. Consequently it is therefore recognised that the other elements of the Birtinya Lake system would be principally accessible to Village residents only rather than the general public and in some cases this may be further restricted to the neighbourhood or property resident only.

- (vi) Recognition of the significance of privately provided and operated recreation facilities, where such are available for use by residents of the community in meeting part of the recreational and Open Space needs of the community.
 - (vii) Subdivision design adjacent to the esplanades in Parrearra North (to the River) and Birtinya South (to the North Arm of Currimundi Creek) shall provide for 50% street frontage to these esplanades. However the Council may give favourable consideration to an alternative design providing for a lesser proportion of street frontage where the design is better and meets the other criteria in this section.
- (c) The Public Recreation Lake will accommodate a variety of water-related activities including a substantial part of a 2km long rowing course. To its edge within the Urban designated area appropriately located uses would occur that not only integrate with the urban uses proposed under the MPCDP referred to in section 7 of the DCP but also the focal nature of the Public Recreation Lake. Development of areas for urban activities adjacent to the Public Recreation Lake is to accommodate a continuous public access promenade. However, in some locations, such a promenade may not directly abut the lake edge but, in those limited circumstances, the pedestrian and cyclist corridor will be designed to maintain a continuous link around the Public Recreation Lake.

Along the western edge of the Public Recreation Lake it may be appropriate to Develop a hard edge treatment (in contrast to the soft edge treatment proposed in DPA 1) to enhance the experience at focal nodes and complement the adjoining land uses.

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TABLE 4.2: OPEN SPACE (RECREATION) - SUMMARY REQUIREMENTS

FUNCTION	CATCHMENT	MINIMUM TOTAL AREA REQUIREMENT *	COMMENT
Linear Park	N.A. These parks link or connect focal parkland areas	11.11ha	To be principally located:- <ul style="list-style-type: none"> • along the Development Lines but outside of the area to be Developed; • along the edges of and through the flood storage area (approx 4.0ha); • along the edges of the active recreation lake at Regatta North (approx 6.01ha). Provide separation of two types - Public Recreation Lake access (3.76ha) - community/neighbourhood access (2.25ha)
Precinct Park Neighbourhood/ Village Park	1 per Precinct Area 1 per Neighbourhood Area, or when a Neighbourhood is upgraded to a Village, a Village Park in preference to a Neighbourhood Park	15.35ha	These parks can be provided outside the Development Lines provided all other performance and design criteria can be met.
Focus Area	Focus area for DCP Area	5.9ha	Public access land in DPA 2 at Bokarina to provide a focal point and beach access Refer 4.10.2(c) for details
District Park/Regional Park	Normally 1 per district but dependant upon the characteristics of area	12.0ha	Provision for expansion of the Kawana Sports Complex to the west to accommodate a range of district and regional level community and recreational facilities. Assumes land of equal area and zoning can be obtained in exchange along the present eastern boundary of the flood plain.
* Exclusive of areas set aside for environmental and conservation purposes adjacent to natural waterways, and non-integrated bikeways and pedestrian routes.			

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4.3 Open Space - Conservation	
4.3.1 Intent	<p>The intent of this designation is to identify those portions of the DCP Area which are considered to have significant environmental value and which should be retained in their natural state as part of a linked network of natural Open Space Conservation within the DCP Area and the other parts of the Kawana Waters Locality.</p>
4.3.2 Implementation	<p>(a) DCP 1 Map 1 identifies the areas which fall under this designation and which the Council intends to protect through the Development control process.</p> <p>In respect of the preparation of the Master Plans for DPA 4 provision is to be made for an esplanade along the full frontage of the Mooloolah River for a minimum width of 30m and to extend in width up to the existing tree line as identified in the Master Plans for DPA 4 provided however that dual fairways and additional clearing are to be accommodated.</p> <p>(b) Most of the areas identified in the DCP as being of environmental significance are under the ownership or control of the Master Developer.</p> <p>(c) The limit of Development Lines for the new development areas have been determined for areas adjacent to natural waterways and reflected in the zoning maps for the respective areas. These include conservation areas (including esplanades) as shown on DCP 1 Map 1 and Linear Park provision.</p> <p>Progressively through the MPCDP these areas will become part of the public open space system.</p> <p>(d) In addition to the areas of high conservation value designated as Open Space - Conservation in the DCP, the Mooloolah River floodplain contains additional areas of melaleuca quinquenervia wetlands and heathlands of some conservation value, together with extensive cleared areas formerly used for farming purposes. The floodplain is also significant for flood storage purposes. However portions of the floodplain may be suitable for low impact nature based recreational activities which are compatible with its flood storage function and with the preservation of areas of high conservation value. In particular the Council is keen to ensure that convenient access is provided to the "borrow pit" lake area which has particular recreation potential. Accordingly, Council would be unlikely to favourably consider any application for Development in the floodplain which might result in any diminution of flood storage capacity or adverse impact on the nature conservation values of the area eg. vegetation clearance. Any Development and Subdivision applications over this area must be accompanied by appropriate environmental and engineering studies.</p>
4.4 Town Centre	
4.4.1 Intent	<p>The intent of this designation is to identify the area where the consolidation of land uses is designed to complement a community identity and focus and strengthen the employment opportunities for the region.</p>
4.4.2 Implementation	<p>(a) The preferred location for the Town Centre within the DCP Area is indicated diagrammatically on DCP 1 Maps 1, 2, 6 and 7.</p>

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- (b) The Town Centre is expected to be comprehensively planned through the MPCDP process set out in section 7 of the DCP. The planning of this area is to provide for the planning characteristics of mixed use Development or consolidation of land uses including residential, retail, commercial, cultural, government, community and Health Industry complying with transit oriented development principles particularly in respect of densities. The planning for this area however will be required to comply with the goals, elements and strategies outlined in ShapingSEQ where Maroochydore is identified as the principal regional activity centre for the Sunshine Coast and the Town Centre is the major regional activity centre in Kawana. The planning, Development and Subdivision of this area is to ensure the efficiency and safety of the transport infrastructure network.

4.5 Village Centres

4.5.1 Intent

The intent of this designation is to identify existing Village Centres and appropriate locations for future Village Centres which are intended to provide a limited range of retailing services at the neighbourhood catchment level of up to 10,000 persons.

4.5.2 Implementation

- (a) The preferred location for a Village Centre within the DCP Area is indicated diagrammatically on DCP 1 Map 2.
- (b) A site proposed for Development as a Village Centre should satisfy the following locational criteria:-
 - (i) the site should have its primary frontage to a collector street; and
 - (ii) the site should be directly accessible from the pedestrian/bikeway network; and
 - (iii) the Development will not have any undue adverse impacts on existing or likely future surrounding land uses.
- (c) Village Centres are expected to be comprehensively planned through the MPCDP set out in section 7 of the DCP. The planning of the Village Centres is to provide for an appropriate range of Community Facilities including a neighbourhood house, community hall, child care centre, and Village Park system to form a comprehensively planned Village Centre. The Council will work with the Master Developer to identify and co-ordinate the detailed requirements for the Community Facilities.

4.6 This section has been deleted – intentionally left blank

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4.7 Community Facilities	
4.7.1 Intent	<p>DCP 1 Map 2 indicates by various symbols the preferred location of additional community facilities which are expected to be required to meet the demands of the growing community of the Kawana Waters Locality as Development proceeds.</p> <p>The proposed facilities have been indicated to ensure that their future provision is taken into consideration during the detailed planning and Subdivision of future Development areas in the DCP Area. Community Facilities should be so located as to optimise their efficiency and benefit to the public.</p>
4.7.2 Implementation	<ul style="list-style-type: none">(a) The proponent of any application to Develop an area which contains, or is adjacent to, the location for a Community Facility as indicated on DCP 1 Map 2 shall be required to liaise with the appropriate provider agency and the Council to ensure that their detailed site and locational criteria are met.(b) In considering any particular planning or Subdivision application, the Council may, at its discretion, require the applicant to provide an overall conceptual layout plan of a broader area indicating the proposed locations of any required Community Facilities and the proposed linkages from the area of the subject application to the proposed Community Facilities.(c) In general the Council will require the site of a proposed Community Facility to comply with the following locational criteria:-<ul style="list-style-type: none">(i) have at least one frontage to a collector street; and(ii) be conveniently linked to the surrounding area's pedestrian/bikeway network; and(iii) be co-located with other activity generating activities such as parkland and neighbourhood shops.(d) Where the preferred location of the Community Facilities is in an area under the control of the Master Developer, the Council will ensure that the Community Facilities are appropriately integrated into the urban fabric through the MPCDP.(e) The Development of an area is to comply with the Community Development Strategy including the recommended community facility requirements, except in the case of the Community Facilities which is adjacent to the Regional Hospital that may be Developed for a Community Purpose.
4.8 Regional Hospital	
4.8.1 Intent	<p>The intent of this designation is to identify the area where the Regional Hospital will be located.</p>
4.8.2 Implementation	<ul style="list-style-type: none">(a) A trunk collector is to be provided on the eastern frontage of the Regional Hospital.(b) The Regional Hospital is to be connected, before the commencement of the use of the Regional Hospital, to the Nicklin Way in the east and to Kawana Way in the Multi-Modal Transport Corridor in the west.

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- (c) The Regional Hospital is to be linked to the Town Centre and the Transit Facility within the Public Transport Corridor.
- (d) The Regional Hospital is to be linked to the pedestrian/bikeway network.
- (e) The Regional Hospital is designed to be sympathetic and integrated into the surrounding development.

4.9 Tourism Development

4.9.1 Intent

The Council desires to take advantage of the natural and man-made attractions within the DCP Area and the other parts of the Kawana Waters Locality by the expansion of tourism related activities. This designation is intended to identify that area in the DCP Area in which tourism Development will be encouraged by the Council. Appropriate activities in this area include but are not limited to tourist accommodation and related commercial activities and entertainment and recreational facilities.

4.9.2 Implementation

- (a) The Council is likely to favourably consider applications for tourism Development in the designated areas, subject to their complying with other relevant provisions of the Planning Scheme including the DCP. Uses which are likely to be favourably considered by the Council include tourist accommodation, tourism-related retail and commercial activities including craft shops, restaurants, cafes, take-away food shops and entertainment and recreational facilities.
- (b) Mixed use Development comprising tourist-related commercial activities on the lower levels and tourist accommodation above, will be encouraged.

4.10 Detailed Planning Areas

4.10.1 Intent

The DCP 1 Map 3 identifies 15 areas designated DPA 1, DPA 2, DPA 3, DPA 4, DPA 5, DPA 6, DPA 7, DPA 8, DPA 9, DPA 10, DPA 11, DPA 12, DPA 13, DPA 14 and DPA 15.

Whilst DPA 3, DPA 5, DPA 6 and DPA 8 are identified on DCP 1 Map 3, these areas are not within the DCP Area and the DCP does not apply to these areas.

However, DPA 1, DPA 2, DPA 4, DPA 7, DPA 9, DPA 10, DPA 11, DPA 12, DPA 13, DPA 14 and DPA 15 are within the DCP Area and the DCP does apply to these areas which, by virtue of their strategic location and/or size, are considered to present particular opportunities for comprehensively planned focal Developments.

The exact nature and extent of land uses appropriate to each of these areas cannot reasonably be determined at this time. Accordingly, the Council is providing the flexibility for the sites to accommodate a wide range of land uses through the use of:

- (a) the Special Development Zone; and
- (b) in the case of DPA 4, the Open Space Zone and the Sport and Recreation Zone; and
- (c) in the case of DPA 10, the Residential A Zone,

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provided the uses are undertaken in accordance with a Master Plan, to be submitted for approval as part of the MPCDP set out in section 7 in this DCP, and conform with the general planning and design criteria set out below for each DPA.

4.10.2 Implementation

- (a) The detailed planning, Subdivision and Development of each DPA will be undertaken in accordance with the MPCDP set out in section 7 of this DCP, and with the detailed planning and design criteria set out below for each DPA.

A Site Development Plan will be required to be prepared in respect of land designated DPA (other than DPA 10). The Site Development Plan for each DPA (other than DPA 10) shall contain a Supplementary Table of Development for the DPA area as a whole or, where the DPA is comprised of precincts, for all precincts of that DPA setting out four columns with the specific issues listed under each of them in accordance with the principles stated in Table 4.10.

TABLE 4.10

Column 1 Permitted Uses	Column 2 Permitted Subject to Conditions	Column 3 Consent Required	Column 4 Prohibited Uses
Those uses determined to be the preferred uses, either within the DPA area as a whole, or where the DPA area is comprised of a number of precincts, within each of the precincts, together with minor ancillary uses.	Those uses considered to be supplementary to the preferred uses either within the DPA area as a whole or, where the DPA area is comprised of a number of precincts, within each of the precincts, and where the use is such as to require the imposition of conditions to regulate its use.	Those uses, not otherwise listed either under Columns 1, 2 or 4 in respect of the whole of the DPA area or, where the DPA area is comprised of a number of precincts, within each of the precincts, and which would be acceptable within the whole DPA area or precinct area where it is adequately demonstrated that the use would be compatible with, the preferred uses.	Those uses determined to be inappropriate either within the DPA area as a whole or, where the DPA area is comprised of a number of precincts, within each of the precincts.

- (b) Detailed Planning Area 1 (DPA 1)

This DPA occupies a large area on the western side of the Nicklin Way and is abutted by the Public Recreation Lake which will accommodate a variety of water related activities, including part of a 2 km long rowing course, a substantially continuous public access esplanade around the lake, and appropriately located and designed beach and esplanade areas incorporating a range of community and commercially related uses, and a Motel.

Development of the area will therefore be guided by the following broad criteria:-

- (i) The Public Recreation Lake must be designed to minimise future maintenance, to the satisfaction of the Council.

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- (ii) The Public Recreation Lake edges are to present an appearance of sandy beaches with vegetation and few "hard edges". The sandy beaches are to be gently sloping to enable ease of access by the users of canoes and windsurfers and the like and may incorporate a neighbourhood or village park. It may be appropriate however to Develop a hard edge treatment to some sections of the eastern edge of the Public Recreation Lake where it can be demonstrated that the pedestrian and cyclist experience is not diminished or made unsafe. Part of this Public Recreation Lake is also contained within the Urban area designation which will require assessment under the provisions of section 4.1 of this DCP.
- (iii) No direct access to the Nicklin Way from individual land areas unless supported by a detailed traffic study accepted by the Council and the Department of Main Roads which shows that such can occur without detriment to the safe and efficient flow of traffic on the Nicklin Way.
- (iv) There is to be a high level of visibility of the Public Recreation Lake from the Nicklin Way and other adjoining roads.
- (v) The frontage to the Nicklin Way, other than for approved access points, is to be landscaped to provide an attractive "presentation" along this road and to assist in buffering traffic noises.
- (vi) Development of nodal areas for sports, leisure, recreation and community activities, and a Motel, between the Public Recreation Lake and Sportsmans Parade and Stern Drive is to include the following:-
 - (A) the provision of a continuous public access promenade to the perimeter of the Public Recreation Lake. The Development of commercial and community facilities adjacent to the Public Recreation Lake are to accommodate a continuous public access promenade. In some locations however, such promenade may not directly abut the lake;
 - (B) the average width of the continuous public access promenade is to be 15m measured from the nominal water level to the adjacent road or property alignment. It is intended the width will vary for relief (to avoid a bath tub appearance) and to accommodate drainage outlets and community focal points;
 - (C) recreation and leisure areas including barbecue and picnic facilities;
 - (D) facilities for cultural, welfare and hobby activities including community halls, community and youth related groups;
 - (E) rowing, and other water sports clubs;
 - (EA) a Motel on Sportsmans Parade;
 - (F) limited commercial activities contained in 4 or 5 nodes on the eastern side of the Public Recreation Lake along Sportsmans Parade and Stern Drive. Only one of these nodes is to be located north of the boundary between the swimming pool and the Kawana Sports Complex. Land use opportunities in each of these nodes include boat hire facilities, kiosks and other recreational and community activities with the land use north of the boundary between the swimming pool and the Kawana Sports Complex,

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being those uses directly related to sports, leisure and recreational activities;

- (G) the land and/or gross floor area for the commercial nodal areas will depend on the detailed planning of the DPA but shall not in any case exceed in total linear measurements 40% of the frontage to Sportsmans Parade and the Council will require that these uses are located so that continuous pedestrian and cycle access generally along the lake foreshore is achieved and that adequate visual and physical separation between uses occurs. The Council recognises however that amalgamation of some of these uses may create a more efficient use of the limited land resource available. The overall visual experience to pedestrians, cyclists and users of the lake is to be of lake and vegetation in dominance, with any buildings to be designed so as to blend with the master planning theme; and
- (H) sports, leisure and recreational activities adjoining Sportsmans Parade and the head of the northern end of the Public Recreation Lake.
- (vii) The DPA will be developed with lower intensity uses towards the southern edges of the DPA to ensure compatibility with existing low density residential Development, with higher intensities of residential and commercial Development being encouraged towards the southern end of the Public Recreation Lake.

The preferred land uses in the southern portion of the DPA (from the lake edge to the southern boundary) will be predominantly residential in nature. However, in conjunction with the MPCDP, educational facilities, health care facilities or a significant club facility or similar would also be encouraged as preferred uses in this location.
- (viii) Commercial activities which provide a "Fisherman's Wharf" type amenity or other forms of Development compatible with the intent of the designation which preserves continuous public access adjacent to the southern reaches of the Public Recreation Lake and maintains public views to the waterway from the Nicklin Way, will also be encouraged as preferred use in this location.
- (ix) Land uses chosen for Development within DPA 1 should be such as will take advantage of the potential of the DPA due to its proximity to a major aquatic recreational resource and as a key focal point integrating the future Development of the DCP Area with the existing community of the other parts of the Kawana Waters Locality, including pedestrian/cyclist linkages as indicated on the DCP 1 Map 2. Activities of a Highway commercial nature will not be permitted within this DPA.
- (x) A Detailed Planning Area Plan is to be prepared for the whole of the DPA and approved pursuant to the MPCDP prior to the commencement of the Development of land use within the DPA, showing the intended range of land uses, their nature and extent, and the specific Development Criteria to be applied to ensure that the manner of their development enhances the amenity of the area and recognises the amenity of existing residential areas.

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In the context of the preparation of the Site Development Plan, predominant preferred uses contained within Columns 1 or 2 of the Supplementary Table of Development are therefore:-

- community activities adjoining Sportsmans Parade;
- park (public open space - generally continuous public access with frontage to the Public Recreation Lake);
- uses permitted in the Urban designated area;
- limited commercial to the Public Recreation Lake edge adjoining Sportsmans Parade;
- "Fisherman's Wharf" type facilities to the southern edge of the Public Recreation Lake;
- education facility;
- health care facility;
- commercial (offices and the like, to enhance focal position);
- club facility; and
- sports, leisure and recreational activities, and a Motel, adjoining Sportsman Parade and the head of the northern end of the Public Recreation Lake.

(c) Detailed Planning Area 2 (DPA 2)

This area comprises a large site of approximately 30 hectares across the Nicklin Way from DPA 1 and extending to the frontal sand dunes. It is the last large undeveloped beachfront site within the Kawana Waters Locality, and provides the opportunity for a focal Development based around public beach access and associated recreational activities for residents and visitors.

It is intended that Development of the DPA will be guided by the following broad criteria:-

- (i) Open space and community land with an area of approximately 5.9 hectares will be provided to cater for the needs of local residents and tourists. Controlled beach access will be provided from the park and from a site for a surf lifesaving club and public parking facilities as well as other community facilities intended to serve the local resident community. The make-up of this area is to be as follows:-
- | | |
|---------------------------------|--------|
| • Village Park System | 2.0ha |
| • Public Access Club Facilities | 1.0ha |
| • Linear Park | 1.6ha |
| • Public Access Domain (Mall) | 0.5ha |
| • Community Facilities | 0.3ha |
| • Surf Club Facility | 0.5ha. |

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- (ii) Complementary to the focal Development intent of this DPA a commercial/boutique retail/community/public domain (mall) precinct or precincts will be encouraged as preferred uses in this location with their design and relationship to meet the needs of local residents and tourists and provide a vibrant focal point for the Kawana Waters Locality.
- (iii) There is to be no direct access to the Nicklin Way from individual land uses.
- (iv) There is to be controlled access only to Beach and Wurley Drive, and to any proposed new access road from the Nicklin Way.
- (v) The frontages to the Nicklin Way and Beach and Wurley Drives, other than for approved access points, are to contain linear parks approximately 10 metres wide (from kerb lines) and be landscaped to provide an attractive "presentation" of the DPA along these roads, to provide an "experience" for pedestrians and cyclists and to assist in buffering traffic noises.
- (vi) Appropriate linkages are to be provided to the Village Park and focal point through the DPA to existing developed areas and to areas west of the Nicklin Way for pedestrians and cyclists. There will be a grade separated, or signalised, linkage from this area under or across the Nicklin Way to DPA 1 and directly to the foreshores of the recreational lake and rowing course and its extensive foreshore paths and cycleways and community facilities. Road access within this DPA is to be so designed as to discourage north-south through traffic from using this area as an alternative route to the Nicklin Way.
- (vii) The DPA is to be Developed with lower intensity uses towards the edges of the DPA to ensure their compatibility with existing low density residential development north and south of the DPA. Higher intensities of Development will be encouraged towards the centre of the DPA, particularly around the focal Development, to assist in providing a sense of place. In the centre an 8 storey height limit is not to be exceeded. The Council will encourage the Development of a significant club facility or similar in this DPA which is sized to accommodate an area of 1ha of land for public access and enjoyment of club facilities. In the event that this use does not occur however, and residential is the preferred use, the Council will require a 1ha area of land to be set aside for public access club facilities.
- (viii) Land uses are to be predominantly residential in nature, with an emphasis on higher densities to a maximum height of 8 storeys towards the centre of the DPA. Various forms of tourist Development would be welcomed by the Council, should these prove to be commercially viable. Commercial Development will be limited to the focal area. In particular, activities of a highway commercial nature, such as retail showrooms, car sale yards, takeaway food premises and the like which prefer the exposure and direct access provided by an arterial and sub-arterial road frontage, will not be permitted along the Nicklin Way frontage of the DPA.

A Detailed Planning Area Plan shall be prepared for the whole of the area of DPA 2, and approved pursuant to the MPCDP prior to commencement of the Development of land use within the area, and showing the intended range of land uses, their nature and extent, and the specific Development Criteria to be applied to ensure that the manner of their Development enhances the amenity of the area and recognises the existing amenity of adjoining residential areas.

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In the context of the preparation of a Site Development Plan, the predominant preferred uses contained within Columns 1 or 2 of the Supplementary Table of Development are therefore:-

- residential and tourist accommodation;
- commercial;
- village park system;
- community facilities;
- surf club facility;
- boutique retail/public mall/restaurant, fast food and the like; and
- club facility.

(d) Detailed Planning Area 3 (DPA 3)

This DPA is not within the DCP Area and the DCP does not apply to the DPA.

(e) Detailed Planning Area 4 (DPA 4)

This DPA comprises an area of approximately 335 hectares, most of which is influenced by the Mooloolah River Flood Model Solution.

Whilst the flood solution characteristics of the DPA must be retained, areas are suitable for a variety of land uses with the majority of the land having an active and passive recreation value and conservation value.

It is intended that the Development of the DPA will be guided by the following broad criteria:-

- (i) The nature and form of future Development is to be such as will preserve the flood storage capacity and flow characteristics of the DPA.
- (ii) Appropriate linkages will be provided to the river from the adjacent Urban development for pedestrians and cyclists.
- (iii) The integrity of significant vegetation within the DPA is to be preserved.
- (iv) The DPA at its northern extremity, offers the potential to extend the District/Regional Sports Complex with pedestrian/cyclist linkages, located so as to access the river and the provision of a Village Park adjacent and south of the Southern lake.
- (v) Lakes are envisaged within the DPA 4 area and are to be Developed in accordance with the following criteria:-
 - (A) the southern lake is an existing borrow pit, the preferred use of which is for passive enjoyment for the public with a conservation area on its northern edge (east of the Multi-Modal Transport Corridor) and village park opportunity to its southern edge (east of the Multi-Modal Transport Corridor);
 - (B) other lakes (not yet created) are preferred for passive enjoyment for the public or for part of any golf course development within this area;

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- (C) the northern lake is an existing "borrow pit", the preferred use of which is for active recreation;
 - (D) it is intended that these lakes, where practical, will form part of the urban drainage system acting as retention/settlement ponds assisting in an improved water quality system;
 - (E) only non-powered and non-wind assisted craft (such as canoes) will be permitted on these lakes;
 - (F) the provision of a pedestrian link between the northern lakes and the additional sports and recreation lands; and
 - (G) the provision of a maximum 100m buffer around the northern lakes, provided however that in order to minimise vegetation disturbance, the lakes will be located as close as practical to the Multi-Modal Transport Corridor resulting in a reduced buffer width on the east side of the lakes.
- (vi) Private and public open space and recreational purposes will be encouraged within the existing cleared areas of the DPA. The Council will encourage the Development of a significant club facility or similar. Eco-tourism uses will also be encouraged in this DPA.
- (vii) The provision of the proposed Multi-Modal Transport Corridor as identified on DCP 1 Map 2.

A Detailed Planning Area Plan will be required to be prepared for the whole of DPA 4 and approved pursuant to the MPCDP prior to the commencement of the Development of land within the area showing the intended range of land uses, their nature and intent, and the specific Development Criteria to be applied to ensure that the manner of their Development preserves the flood storage capacity and flow characteristics of the DPA in addition to providing opportunities for private and public open space and recreational purposes.

In the context of the preparation of a Site Development Plan, the preferred uses contained in Columns 1 and 2 of the Supplementary Table of Development within this DPA are:-

- public open space and recreation areas;
- park (public and/or private tenure);
- golf course and club facility;
- equestrian facility;
- eco-tourism accommodation; and
- Multi-Modal Transport Corridor.

- (f) Detailed Planning Area 5 (DPA 5)

This DPA is not within the DCP Area and the DCP does not apply to the DPA.

- (g) Detailed Planning Area 6 (DPA 6)

This DPA is not within the DCP Area and the DCP does not apply to the DPA.

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(h) Detailed Planning Area 7 (DPA 7)

This DPA is located in an area influenced by the Water Pollution Control Plant Buffer Area. The land is adjacent to the By-pass Channel entrance from the Mooloolah River and the proposed Multi-Modal Transport Corridor.

All Development proposals on this DPA will be required to:

- (i) be in accordance with the required Master Plans indicating the design, layout and intent for the whole DPA and its relationship with the urban residential Development to the north and east and the entrance channel works; and
- (ii) comply with the constraints imposed by the Water Pollution Control Plant Buffer Area and the proposed Multi-Modal Transport Corridor.

In the context of the preparation of a Site Development Plan, the preferred uses contained in Columns 1 and 2 of the Supplementary Table of Development within the DPA are:-

- club facility;
- service station, and complementary uses of convenience shop and car wash facilities;
- sport and recreation and associated facilities;
- indoor entertainment/outdoor entertainment;
- eco tourism (river/national park related) facilities;
- business park or similar Development (but with no direct access from sites to the proposed adjacent Multi-Modal Transport Corridor); and
- lake.

(i) Detailed Planning Area 8 (DPA 8)

This DPA is not within the DCP Area and the DCP does not apply to the DPA.

(j) Detailed Planning Area 9 (DPA 9)

The DPA comprises an area of approximately 26 hectares. The land is located between the existing employment area north of Main Drive, the proposed Town Centre to the south, the Public Recreation Lake to the east and the Multi-Modal Transport Corridor to the west.

In the context of the preparation of the Structure Plan that is to be prepared in relation to the DPA and the Urban designated areas:

- (a) the broad intent and structure of the DPA must be in accordance with the structure of the DPA as shown on DCP 1 Map 5 and the intent of the DPA as specified in Table 4.10.2(j); and
- (b) the location of the Water Pollution Control Plant Buffer Area must be in accordance with DCP 1 Map 5 and Development must comply with the constraints imposed by the Water Pollution Control Plant Buffer Area; and
- (c) the predominant and preferred land use opportunities for the DPA must be in accordance with the intent and land uses for each precinct in the DPA as shown in Table 4.10.2(j).

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In the context of the preparation of the Detailed Planning Area Plan that is to be prepared in relation to the DPA:

- (a) the general nature, form and location of Development for the DPA must be in accordance with the structure of the DPA as shown on DCP 1 Map 5 and the Structure Plan and the intent of the DPA as specified in Table 4.10.2(j); and
- (b) the location of the Water Pollution Control Buffer Area as shown on DCP 1 Map 5 and the Structure Plan must be shown in more detail; and
- (c) the Detailed Planning Area Plan must show a neighbourhood park as shown on DCP 1 Map 5 that accords with the Community Recreation and Open Space Model in Appendix 1 of the DCP. In particular, the park must not be bisected by any roads and must be located adjacent to the Public Recreation Lake and contain an internal play area of no less than 1,200m²; and
- (d) the land uses that are shown on the Detailed Planning Area Plan must be in accordance with the intent of the relevant precinct specified in Table 4.10.2(j); and
- (e) the Detailed Planning Area Plan must show that a Site Development Plan containing a Supplementary Table of Development is required to be prepared in respect of each precinct shown on DCP 1 Map 5; and
- (f) the Detailed Planning Area Plan must state that the land within the DPA must not be reconfigured into lots that are less than 2,000 m².

In the context of the preparation of a Site Development Plan in respect of each of the precincts shown on DCP 1 Map 5:

- (a) the land uses to be contained in columns 1 and 2 of the Supplementary Table of Development in respect of the relevant precinct must be in accordance with Table 4.10.2(j); and
- (b) all other land uses not required to be contained in columns 1 and 2 of the Supplementary Table of Development pursuant to paragraph (a) must be contained in column 4 of the Supplementary Table of Development; and
- (c) the Site Development Plan must specify development criteria to control the form and context of any land uses that are contained in columns 1 and 2 of the Supplementary Table of Development.

In relation to a Master Plan being a Detailed Planning Area Plan or a Site Development Plan ("Prescribed Master Plan") that has been:

- (a) submitted for approval prior to the commencement of amendments to section 4.10.2(j) adopted on 16 January 2004, the Prescribed Master Plan is to be assessed in accordance with the Planning Scheme (including the DCP) immediately in force prior to the commencement of the amendments; and
- (b) approved prior to the commencement of amendments to section 4.10.2(j) adopted on 16 January 2004, the Prescribed Master Plan shall continue to have effect and development and other lower order Master Plans must comply in the way stated in this DCP with the Prescribed Master Plan and the provisions of the Planning Scheme (including the DCP) immediately in force prior to the

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commencement of the amendments as if the amendments had not commenced;
and

- (c) approved prior to the commencement of amendments to section 4.10.2(j) adopted on 16 January 2004, the Prescribed Master Plan may be amended in accordance with the MPCDP but the amended Master Plan is to be assessed in accordance with the Planning Scheme (including the DCP) in force at the date of the application for approval of the amended Master Plan.

The limitation of the land uses that are to be developed in DPA 9 to those that are identified above and in Table 4.10.2(j) is intended to ensure, particularly in the case of retail and office uses, that the Development and use of land within DPA 9 whether of itself or in conjunction with the Development or use of land within the future Town Centre does not significantly compromise by way of the Development and use of land either individually or collectively the following:

- (a) the intended primacy and function (including the provision of, and allocation of services and facilities) of the Caloundra Regional Business Centre under the Strategic Plan and Development Control Plan 8, which is a Major Regional Activity Centre under ShapingSEQ; or
- (b) the function of the future Town Centre under the DCP.

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Table 4.10.2(j) – Detailed Planning Area 9

Precinct	Intent of the Precinct	The only land uses that may be contained in Columns 1 and 2 of a Supplementary Table of Development in respect of the Precinct
1	<p>This precinct is to act as a transition area from the employment area to the north of Main Drive to the mixed use area of DPA 9 where:</p> <p>(a) commercial premises are not located on the ground floor of buildings; and</p> <p>(b) industrial related uses such as light industry, service industry and warehouses provide the predominant employment opportunities.</p>	<p>Commercial Premises (where not located on the ground floor of a building)</p> <p>Educational Establishment (where limited to the training of persons necessarily associated with a Light Industry or a Service Industry)</p> <p>Light Industry</p> <p>Public Purpose</p> <p>Public Utility</p> <p>Service Industry</p> <p>Showroom (where limited to the sale of vehicles)</p> <p>Warehouse</p>
2	<p>This precinct is to act as the core area of DPA 9 where employment opportunities are predominantly provided by clean manufacturing, commercial premises and business premises.</p>	<p>Business Premises</p> <p>Call Centre</p> <p>Clean Manufacturing</p> <p>Commercial Premises</p> <p>Local Store</p> <p>Public Purpose</p> <p>Public Utility</p> <p>Service Industry</p> <p>Warehouse</p>
3	<p>This precinct is to act as the main entrance to DPA 9 where:</p> <p>(a) commercial related uses are not located on the ground floor of buildings; and</p> <p>(b) the non-commercial uses that are located on the ground floor of buildings provide a strong interface and connectivity to the Public Recreation Lake.</p>	<p>Business Premises</p> <p>Call Centre</p> <p>Child Care Centre (located outside of the Water Pollution Control Plant Buffer Area)</p> <p>Commercial Premises (where not located on the ground floor of a building)</p> <p>Food Outlet (not incorporating a drive-in takeaway facility)</p> <p>Health Care Premises</p> <p>Hospital</p> <p>Indoor Entertainment</p> <p>Park</p> <p>Public Purpose</p> <p>Public Utility</p> <p>Restaurants</p> <p>Shop (where limited to the sale of sporting goods)</p> <p>Sport and Recreation</p>

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Precinct	Intent of the Precinct	The only land uses that may be contained in Columns 1 and 2 of a Supplementary Table of Development in respect of the Precinct
4	This precinct is to act as a predominantly high-density residential area where the Development on the ground floor of buildings provide a strong interface and connectivity to the Public Recreation Lake.	Accommodation Building Caretakers Residence Child Care Centre Food Outlet (not incorporating a drive-in takeaway facility) Function Room Home Business Local Store Motel Multiple Dwelling Park Public Utility Restaurant Sport and Recreation Temporary house and land sales office
5	This precinct is to act as an employment area for predominantly clean manufacturing and commercial premises which because of their large floor areas cannot be located on land designated for these purposes in the Town Centre or the Caloundra Regional Business Centre.	Accommodation Building Call Centre Car park Caretakers Residence Child Care Centre Clean Manufacturing Commercial Premises (where the gross floor area of any commercial premises is not less than 1,000m ²) Educational Establishment Food Outlet (not incorporating a drive-in takeaway facility) Function Room Indoor Entertainment (where the development is not a cinema) Industrial Retail Premises Multiple Dwelling Park Public Purpose Public Utility Service Industry Showroom (where precinct 6 of DPA 9 is at least 70% developed)

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Precinct	Intent of the Precinct	The only land uses that may be contained in Columns 1 and 2 of a Supplementary Table of Development in respect of the Precinct
6	This precinct is to act as predominantly a retail area for uses involved in the sale of bulky goods which because of their large floor areas and land consumptive nature cannot be located on land designated for these purposes in the Town Centre, the Buddina Regional Business Centre or the Caloundra Regional Business Centre.	Automatic Mechanical Car Wash Car Park Caretakers Residence Clean Manufacturing Food Outlet Nursery Park Public Purpose Public Utility Restaurant Service Station Shop (not being a department store, discount department store or supermarket) having a minimum Gross Floor Area of 300m ² Showroom Warehouse
7	This precinct is to act as a predominantly higher density residential area to accommodate persons engaged in activities within DPA 9 and the Town Centre.	Accommodation Building Caretaker's Residence Hotel Motel Multiple Dwelling Park Public Purpose Public Utility Temporary House and Land Sales Office
8	This precinct is to act as a predominantly higher density residential area to accommodate persons engaged in activities within DPA 9 and the Town Centre where the Development on the ground floor of buildings provide a strong interface and connectivity to the Public Recreation Lake.	Accommodation Building Caretaker's Residence Food Outlet (not incorporating a drive-in takeaway facility) Function Room Motel Multiple Dwelling Park Public Purpose Public Utility Restaurant Temporary House and Land Sales Office

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The land uses specified in Table 4.10.2(j) have the meanings given in the Planning Scheme except in the case of for the following land uses:

“**Business premises**” means premises used or intended to be used for the sale or the provision of services (including the ancillary sale of goods, storage, administration and staff facilities on the same premises) by:

- (a) a bank; or
- (b) a building society; or
- (c) a credit union; or
- (d) a finance company agency; or
- (e) a real estate agency; or
- (f) a Totalisator Administration Board Agency; or
- (g) a travel agency; or
- (h) a sporting body; or
- (i) a person who performs massage, manicure, pedicure or is in any other way involved in the treatment of persons other than in the course of a Health Care Practice as defined in the Planning Scheme.

“**Call Centre**” means premises used or intended to be used for a commercial premises where:

- (a) the gross floor area of the commercial premises is not less than 250 m²; and
- (b) the commercial premises is limited to the sale of or the provision of information in respect of a product or a service by means of the telephone, a computer or other form of electronic communication; and
- (c) the commercial premises does not involve the carrying out of face to face communications with customers, clients or representatives on the premises in the course of conducting the commercial premises.

“**Clean manufacturing**” means premises used or intended to be used for a purpose specified in Table 1 or defined as an industry in the Planning Scheme which:

- (a) does not detrimentally affect the amenity of premises (other than the site) due to noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil or waste products; and
- (b) does not involve the operation of heavy vehicular traffic; and
- (c) is wholly contained within an enclosed building; and
- (d) is not an environmentally relevant activity as defined in the *Environmental Protection Act 1994*.

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TABLE 1

- Analytical laboratory (being for medical or other purposes)
- The manufacturing or assembly of any of the following:
 - Bookbinding
 - Aids and appliances for disabled persons
 - Cameras
 - Clocks, watches
 - Drawing or writing goods
 - Musical instruments
 - Optical goods
 - Scientific instruments
 - Therapeutic and life support aids, appliances, garments and equipment
 - Audio visual equipment
 - Any use having a high technology (including but not limited to manufacturing or assembly of computing equipment or phones) or biotechnology focus

“Home Business” means premises:

- (a) being a dwelling unit situated on the ground floor or first level of a multiple dwelling as defined in the Planning Scheme; and
- (b) used or intended for use as a commercial premises as defined in the Planning Scheme where the commercial premises is conducted by the owner of the dwelling unit who resides in the dwelling unit and no more than four (4) other persons (including any other residents of the dwelling unit).

“Service Industry” has the meaning given in the Planning Scheme except that the limitation in respect of total use area specified in paragraph (a) of the definition in the Planning Scheme does not apply.

- (k) Detailed Planning Area 10 (DPA 10)

This DPA comprises an area of approximately 60 hectares. The land is located in an area west to the Multi-Modal Transport Corridor and is generally surrounded by open space. The area of the DPA, its regular shape, elevations, and setting provides the opportunity for an integrated neighbourhood Development including a variety of uses and facilities relating to the urban, conservation and recreational value of the surrounding areas.

Master Plans will be required to be prepared for the whole of DPA 10 and approved by the Council prior to the commencement of Development of the land uses within the area showing the intended range of land uses, their nature and extent and the specific Development Criteria to ensure the manner of their Development recognises the following broad criteria:-

- (i) The nature and form of the Development of this DPA is to be such as will preserve the flood storage capacity and flow characteristics of the flood plain and maintain and enhance conservation values.

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- (ii) Appropriate linkages will be provided to the adjacent DPA 4 Development for pedestrian and cyclists.
- (iii) The proximity to the Multi-Modal Transport Corridor.
- (iv) The proximity to the open space that will generally surround the DPA area.
- (v) There shall be no access other than pedestrian and bikeway to Meridan Way.

In the preparation of Master Plans the following matters in respect of good quality agricultural land must be taken into consideration:-

- the impact the proposed development will have upon Good Quality Agricultural Land; and
- the matters addressed in a relevant State Planning Policy or other State planning instrument and any supporting Guidelines.

These matters must be addressed, in writing, as part of an application for approval of a Master Plan.

In the context of the preparation of Master Plans and recognising the characteristics of the DPA the preferred uses within this DPA are:-

- club facility (including accommodation);
- eco tourism accommodation;
- education facility; and
- residential and associated/ancillary commercial and community facilities (where such facilities are designed and Developed to accommodate a range of different types of varying densities compatible with the foregoing uses).

(l) Detailed Planning Area 11 (DPA 11) – Birtinya Island

This DPA comprises an area of approximately 22 hectares. This area comprises the area east of the Birtinya Western Waterway, west of the Public Recreation Lake and north to Birtinya Canal. This area is considered a strategic locality due to proximity to the Town Centre, the Transit Station and the Regional Hospital.

It is intended that the Development of the DPA be guided by the following broad criteria:-

- (i) The DPA is to be developed predominantly for a range of residential land uses and densities.
- (ii) Higher density residential land uses including multiple dwellings are to be located within a 800m radius of the Transit Station including the North Birtinya Precinct and that part of the DPA located north of the East West Link Road and west of the central spine.
- (iii) A range of detached and terrace housing will be encouraged throughout the remainder of the residential area with a minimum lot size of 180m². Small lot housing below 300m² will be permitted where provided in accordance with the Urban Design Performance Criteria in a Site Development Plan approved pursuant to the MPCDP.

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- (iv) The mix of lot sizes/frontages and the streets within the DPA are to be designed to achieve integrated outcomes for on street car parking, stormwater treatment devices and landscaping and cater for pedestrian/cycle paths on nominated routes as determined through the MPCDP.
- (v) A central movement (pedestrian/bicycle) spine running north/south through the DPA linking DPAs 11 and 13 ("Central Spine - Birtinya Island").
- (vi) Unless identified in the Master Plans for DPA 13, the area north of Lake Kawana Boulevard is to provide a transition to the Town Centre East Precinct and contain a Library/Learning Centre and Cultural Centre.
- (vi-i) The area north of Lake Kawana Boulevard is to incorporate commercial uses ~~Commercial Premises~~ and the Village Park adjacent to the Birtinya Canal. This area is to be designed to form an integral extension to the adjacent Town Centre and civic realm. Development sites which have a frontage directly opposite the Village Park are to incorporate ~~have~~ an active frontage with land uses such as small scale retailing, cafes, restaurants and outdoor dining at ground level and residential land uses or commercial land uses or both residential and commercial land uses above. Home based businesses that require higher exposure and accessibility are encouraged within this area.
- (vii) Development of areas for urban activities adjacent to the Public Recreation Lake are to accommodate a continuous public access promenade along the lake frontage. However, in some locations, the promenade may not directly abut the lake edge and in those limited circumstances, the pedestrian and cyclist corridor will be designed to maintain a continuous link around the Public Recreation Lake.
- (viii) Along the western edge of the Public Recreation Lake it may be appropriate to Develop a hard edge treatment (in contrast to the soft edge treatment proposed in DPA 1) to enhance the experience at focal nodes and complement the adjoining land uses.
- (ix) All other areas of the DPA abutting a waterway are to contain a continuous walkable waterfront.
- (x) Development in the DPA has a maximum height of 8 storeys, except for two key sites in North Birtinya which are to be nominated through the MPCDP to have a maximum height of 10 storeys.

(m) Detailed Planning Area 12 (DPA 12) – Health Hub

This DPA comprises an area of approximately 15 hectares located west of the Birtinya Western Waterway and east and south of the Regional Hospital. This area provides opportunities for uses that support the Regional Hospital.

It is intended that the Development of the DPA be guided by the following broad criteria:-

- (i) The DPA is to be developed predominantly for commercial uses and a range of residential land uses and densities, including high density mixed use residential / commercial uses adjacent to the Regional Hospital.
- (ii) A minimum 3,000m² site for the exclusive use of short term accommodation is to be nominated through the MPCDP.

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- (iii) Medium to high density residential land uses are to be located along the western edge of the Birtinya Western Waterway north of the southern boundary of the Regional Hospital site.
- (iv) For that part of the DPA directly adjacent to the Birtinya Western Waterway south of the Regional Hospital, a range of detached residential land uses and densities will be encouraged. For the remainder of the DPA south of the Regional Hospital, medium to high density residential development is to be provided.
- (v) Home based businesses are encouraged throughout the DPA.
- (vi) Development in the DPA has a maximum height of 8 storeys.
- (n) Detailed Planning Area 13 (DPA 13) – Town Centre

This DPA comprises an area of approximately 26 hectares which is generally bound by the Business Village to the north (DPA 9), the Public Recreation Lake to the east, the Birtinya Canal and Lake Kawana Boulevard to the south, and the Multi-Modal Transport Corridor to the west. The DPA is intended to provide a key employment and residential area with major business, service, education and retail functions and contain a range of government, cultural and entertainment facilities of regional significance.

The DPA is to comprise four (4) main precincts, being:-

- the Town Centre West Precinct, bound by Kawana Way and the Multi-Modal Transport Corridor and located north of the Lake Kawana Boulevard extension; and
- the Town Centre East Precinct, bound by Kawana Way, Central Boulevard and Birtinya Canal; and
- the Town Centre South Precinct, bound by Kawana Way and the Multi-Modal Transport Corridor and located south of the Lake Kawana Boulevard extension; and
- the Town Centre ~~Lakeside Residential~~ Precinct, located generally between Central Boulevard, the Public Recreation Lake and Birtinya Canal.

It is intended that the Development of the DPA be guided by the following broad criteria:-

- (i) Development is consistent with the policy directions of ShapingSEQ.
 - (i-i) Provision for residential forms of Development which contribute to the supply of housing diversity and affordability.
- (ii) Development in the Town Centre complies with transit oriented development principles, particularly in respect of:-
 - (A) minimum development densities in all precincts in the DPA that will support and sustain high frequency public transport; and
 - (B) a safe and convenient pedestrian and bicycle network; and
 - (C) maximum on site and off site car parking rates in accordance with an approved Carparking Management Plan.

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- (iii) High quality public realm and streetscape amenity is provided to meet the needs of the surrounding community including open space, pedestrian areas and a Green Spine town squares in order to create a strong sense of place, preserve key view lines and to provide opportunity for public art within a landscape setting.
- (iii-i) High quality buildings incorporating sub-tropical design excellence, exemplar sustainable design outcomes and climate responsive architecture.
- (iv) An integrated movement~~A street~~ network extending from the Community Centre pedestrian access bridge ~~landing~~ to the Transit Station, including the Transit Thoroughfare which provides for public open space and amenity in conjunction with active transport infrastructure in accordance with section 5.5.2(a)(ii)(B)(2), as shown on DCP 1 Map 7.
- (v) The development of the Town Centre West Precinct provides for a retail core supported by some commercial, community, industrial and residential uses that provides:-
 - (A) bus setdown areas, bus laydown areas and a combined Kiss n' Ride and taxi facility adjacent to the Transit Station;
 - (AA) potential for facilities to support future public transport outcomes (for example, a "Park and Ride" facility);
 - (B) a high degree of pedestrian and cycle connectivity and permeability through the precinct by means of a pedestrian and cycle network which is designed to minimise conflicts with traffic movements and provides for a strong pedestrian and cycle connection between the Transit Station and the Regional Hospital and other major land uses in the Town Centre East Precinct and Town Centre ~~Lakeside Residential~~ Precinct;
 - (C) a Shopping Centre designed to achieve overlooking and passive surveillance of the Transit Station, bus setdown areas and the combined Kiss n' Ride and taxi facility through the siting of active uses including retail entries, cafes, restaurants and strong public thoroughfare areas;
 - (D) an east-west main street connecting Kawana Way to the Transit Station;
 - (E) sites intended for sleeving adjacent to Kawana Way that screen at grade car parking associated with the Shopping Centre. The sleeving sites are to be of an adequate size and dimension for the intended use. Buildings on the sleeving sites are to be designed to present an attractive~~maximise the~~ built form to Kawana Way;
 - (F) a Shopping Centre car park that is to be designed to:-
 - (1) achieve efficient and safe traffic circulation through the parking areas and between the external access points;
 - (2) minimise traffic disruption due to queuing on the surrounding road network; and
 - (3) ensure high standards of pedestrian accessibility and safety; and

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- (G) opportunities for ~~redevelopment to incorporate high density~~ residential, ~~non-residential~~ and mixed use ~~development to contribute toward the intent of the Town Centre, supporting Development once the~~ rail use within the Multi-Modal Transport Corridor located within the Town Centre West Precinct ~~and intended transit oriented design principles has commenced~~;
 - (H) public transport infrastructure ~~to support the Sunshine Coast Public Transport project and a proposed heavy passenger rail connection from Beerwah through to Caloundra, Birtinya and Maroochydore associated with the provision of CoastConnect.~~
- (vi) The Development of the Town Centre East Precinct provides:-
- (A) a Public Transport Corridor along the full frontage of the precinct;
 - (B) ~~primarily non-residential land uses a continuous commercial precinct~~ fronting Kawana Way. Buildings in this precinct are designed to ~~respond to address~~ the Public Transport Corridor ~~with appropriate facade treatments and landscaping, whilst providing building entries that present to key corners~~ and the internal road network;
 - (C) an urban village based around ~~a Green Spine the town centre square~~ that is ~~supported/sleeved~~ at the ground level by ~~residential and non-residential land uses that establish and foster a direct relationship with the adjoining public realm active land uses such as small scale boutique retail, restaurants, cafes and outdoor dining;~~
 - ~~(CA) unless identified in the Master Plans for DPA 11, a Library/Learning Centre and Cultural Centre located adjacent to the Green Spine as part of a vertically integrated mixed-use building;~~
 - (D) ~~part of the Green Spine comprising of a Neighbourhood Park a town centre square that is a minimum of 3,000m² and~~ designed to cater for a range of civic ~~and recreation opportunities in a landscape setting which includes a Civic Plaza of approximately 500m², public artwork, bespoke park furniture and a pedestrian and bicycle network linking key desire lines uses and functions;~~
 - (E) buildings surrounding the ~~Civic Plaza town centre square~~ that achieve a high level of design, maximise opportunities for street activation and surveillance and positively contribute to the civic realm;
 - (F) a street ~~and open space~~ network that prioritises pedestrian and cycle movement particularly from the Southbank Park pedestrian and bicycle access bridge to the Town Centre West Precinct; and
 - (G) ~~a~~-centralised car parking ~~facility~~ in accordance with an approved Carparking Management Plan.
- (vii) The Development of the Town Centre South Precinct provides:-
- (A) a 5,000m² site for a Council carpark; and
 - (B) a Service Station to serve the Town Centre, Regional Hospital and surrounding residents.

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- (viii) The Development of the Town Centre ~~Lakeside Residential~~ Precinct provides:-
 - (A) a continuation of the Green Spine comprising of a Precinct Park adjacent to the Community Centre pedestrian access bridge landing;
 - (B) Development adjacent to the Precinct Park which provides opportunities for a Motel and compatible residential or mixed use land uses incorporating for north facing active ground floor uses such as ~~small scale boutique~~ retail, restaurants, cafes and outdoor dining;
 - (C) medium to high density residential Development; and
 - (D) a safe and efficient shared pedestrian and bicycle connection from the Community Centre pedestrian access bridge to Central Boulevard.
- (ix) Development in the DPA has a maximum height of: ~~10 storeys.~~
 - (A) 12 storeys for no less than 6 buildings on no less than 6 sites; and
 - (B) for all other Development, 15 storeys unless otherwise stated.

(o) Detailed Planning Area 14 (DPA 14) - Birtinya Peninsula

This DPA comprises an area of approximately 18 hectares. This area generally comprises the area south of DPA 12, west of Pangali Canal and east of the north arm of Currumundi Creek and Detailed Planning Area 4.

It is intended that the Development of the DPA be guided by the following broad criteria:-

- (i) A range of detached and terrace housing will be encouraged throughout the remainder of the residential area with a minimum lot size of 180m². Small lot housing below 300m² will be permitted where provided in accordance with the Urban Design Performance Criteria in a Site Development Plan approved pursuant to the MPCDP.
- (ii) The mix of lot sizes/frontages and the streets within the DPA are to be designed to achieve integrated outcomes for on street car parking, stormwater treatment devices and landscaping and cater for pedestrian/cycle paths on nominated routes as determined through the MPCDP.
- (iii) The areas of the DPA abutting Pangali Canal and Birtinya Western Waterway are to contain a continuous walkable waterfront.
- (iv) Those parts of the DPA consisting of riparian vegetation located on the eastern side of the southern tip of the DPA and on the western side extending from the southern tip of the DPA to Birtinya Boulevard are to be retained for conservation purposes.
- (v) Development in the DPA has a maximum height of 3 storeys.

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(p) Detailed Planning Area 15 (DPA 15) – Birtinya Island East

This DPA comprises an area of approximately 3.4 hectares. This area comprises the area west of the Public Recreation Lake, south of Lake Kawana Boulevard, east of Birtinya Boulevard and north of the area contained in Master Plan 40.

- (i) A range of detached and terrace housing will be encouraged throughout this DPA with a minimum lot size of 180m². Small lot housing below 300m² will be permitted where provided in accordance with the Urban Design Performance Criteria in a Site Development Plan approved pursuant to the MPCDP.
- (ii) The mix of lot sizes/frontages and the streets within the DPA are to be designed to achieve integrated outcomes for on street car parking, stormwater treatment devices and landscaping and cater for pedestrian/cycle paths on nominated routes as determined through the MPCDP.
- (iii) The layout of this DPA is to provide for the required land dedications at the southeast corner of the intersection of Lake Kawana Boulevard and Birtinya Boulevard to provide for ~~the future light rail or rapid transport infrastructure~~ Sunshine Coast Public Transport project.
- (iv) Areas of the DPA abutting the Public Recreation Lake are to contain a continuous walkable waterfront that provides connections to the pathways located on the northern and southern sides of the ultimate bridge configuration on Lake Kawana Boulevard.
- (v) Development in the DPA has a maximum height of 3 storeys.

5.0 CIRCULATION NETWORK - INTENT AND IMPLEMENTATION CRITERIA

5.1 State Controlled Roads

5.1.1 Intent

The intent of this designation is to identify existing and proposed major arterial roads and associated interchanges in the DCP Area and the other parts of the Kawana Waters Locality. These are limited to the Nicklin Way (existing) and the proposed Multi-Modal Transport Corridor which as well as linking Caloundra Road to the Sunshine Motorway by way of an arterial road, also provides for a Public Transport Corridor and a sub-arterial road component that directly services the future urban Development within the DCP Area and the other parts of the Kawana Waters Locality.

5.1.2 Implementation

- (a) The preferred locations for the State Controlled Roads are indicated on DCP 1 Map 2.
- (b) The requirements for State Controlled Roads within the DCP Area and other parts of the Kawana Waters Locality are contained within the Transport Infrastructure Agreement.
- (c) The development of a Transit Station will include provision for close integration with urban Development on the eastern side of the corridor with appropriate physical connection to the Public Transport Corridor. The position of this Transit Station is required to be located such that it joins with the Public Transport Corridor and provides a high level of pedestrian and cycle connectivity to the Town Centre.

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- (d) In assessing applications for Development, Subdivision and Master Plan approval, in respect of the requirements for State Controlled Roads in the DCP Area, the Council will ensure compliance with the requirements of the Transport Infrastructure Agreement.

5.2 Sub-Arterial Roads

5.2.1 Intent

This level of road in the road hierarchy is primarily intended to move traffic rather than provide access to individual properties. These roads provide a link between higher order roads and the rest of the road hierarchy and accommodate public transport.

5.2.2 Implementation

Except as otherwise provided in the Transport Infrastructure Agreement:

- (a) The preferred locations for sub-arterial roads are indicated on DCP 1 Map 2.
- (b) The Lake Kawana Boulevard road corridor width will be in accordance with paragraph (e) except:-
- (i) where indented bus setdown bays are required; and
 - (ii) where appropriate widening is required at intersections for turning lanes and/or bus bypass lanes; and
 - (iii) for the section between points B and C on DCP 1 Map 7 the total road reserve width dedicated must be capable of ultimately accommodating all required turning lanes in Lake Kawana Boulevard at the intersection at point C clear of the centrally located 8 metre wide future public transport corridor; and
 - (iv) to accommodate the future public transport bridge over Lake Kawana (between points A and B on DCP 1 Map 7) the duplication of the existing vehicular bridge is to provide for the maximum practically achievable separation from the existing bridge taking into account all physical constraints.
- (c) There will be no direct individual allotment property access except for larger commercial and/or accommodation complexes.
- (d) The design speed is 60 kilometres per hour except in the vicinity of intersections where a lower design speed is necessary for safety and proper traffic management.
- (e) The ultimate Lake Kawana Boulevard road configuration will generally be as follows:-

Element	East of Lake Kawana	West of Lake Kawana to Birtinya Boulevard (Points B to C on DCP1 Map7)	Birtinya Boulevard to Kawana Way
Footpath (north)	4.9 metres	5.8 metres	5.8 metres
Parking Lane	3.2 metres	3.2 metres	3.2 metres
Cycle lane	1.5 metres	1.5 metres	1.5 metres
2 through traffic lanes	6.4 metres	6.4 metres	6.4 metres
Centre median or Public Transport Corridor	6 metres (centre median)	8 metres (Public Transport Corridor)	5 metre (centre median)

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2 through traffic lanes	6.4 metres	6.4 metres	6.4 metres
Cycle lane	1.5 metres	1.5 metres	1.5 metres
Parking Lane	3.2 metres	3.2 metres	3.2 metres
Footpath (south)	4.9 metres	5.8 metres	5.8 metres
Total	38 metres	41.8 metres	38.8 metres

However parking lanes will not be required on bridges or at bridge approaches.

- (f) In assessing applications for Development, Subdivision and Master Plan approval, the Council will ensure that sub-arterial roads are provided in general conformance with the sub-arterial roads indicated on DCP 1 Map 2.

5.3 Trunk Collector Streets

5.3.1 Intent

The intent of identifying these elements is to ensure that the detailed design of new areas incorporates an efficient road network which is appropriately linked to higher order roads in the overall road hierarchy. The trunk collectors are intended to provide for local traffic movement to higher-order roads. These may be required to be designed to accommodate public (bus) transport.

5.3.2 Implementation

- (a) DCP 1 Map 2 indicates the trunk collector streets for the undeveloped areas.
- (b) With the exception of the trunk collector along the eastern frontage of the Regional Hospital, the trunk collector street configuration is:-
- | | |
|-----------------|-----------|
| Footpath | 4m |
| 2 through lanes | 7m |
| Centre median | 3m |
| 2 through lanes | 7m |
| Footpath | <u>4m</u> |
| Total | 25m |
- (c) There will be no direct individual residential allotment property access except for larger commercial and/or accommodation complexes.
- (d) In assessing applications for Development, Subdivision and Master Plan approval, the Council will ensure that trunk collector streets are provided in general conformance with the trunk collector streets indicated on DCP 1 Map 2.

5.4 Collector Streets

5.4.1 Intent

The intent of identifying these elements is to ensure that the detailed design of the DCP Area incorporates an efficient road network which is appropriately linked to higher order roads in the overall road hierarchy. The collector streets are intended to provide for local access and local traffic movement and should be designed to discourage use by traffic passing through the local area.

5.4.2 Implementation

- (a) DCP 1 Map 2 indicates possible access points for collector streets in undeveloped areas.

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- (b) In assessing applications for Development, Subdivision and Master Plan approval, the Council will ensure that collector streets are provided in general conformance with DCP 1 Map 2. In particular the Council will ensure that the collector streets do not provide a direct link between higher order roads in the network which would encourage through traffic to use the collector streets in preference to a designated State Controlled Road, sub-arterial, or trunk collector street.

5.5 Town Centre Streets

5.5.1 Intent

The intent of identifying these elements is to ensure that the Main Street Town Centre West, Main Street Town Centre East and Central Spine Street as shown on DCP 1 Map 6 will provide for an attractive, safe and convenient pedestrian, bicycle and vehicular access.

5.5.2 Implementation

- (a) The Main Street, extending from the Transit Station to ~~midway along the Green Spine~~
~~town-centre square~~ as shown on DCP 1 Map 6 is to comprise of the following:-
- (i) in the Town Centre West Precinct, a shared zone at the western end of the Main Street Town Centre West extending along the active frontage of the main Shopping Centre to the westernmost vehicular access to the Shopping Centre car park. The road reserve for the shared zone is to be of sufficient width to accommodate one (1) traffic lane in each direction, kerbside parking on either side of the traffic lanes and a minimum 4.5 metre wide verge on each side;
- (ii) from the ~~western edge of the Green Spine~~
~~town-centre square~~ in the Town Centre East Precinct to the eastern end of the shared zone in the Town Centre West Precinct, the Main Street is to be of sufficient width to accommodate the required traffic and turning lanes determined by detailed traffic modelling analysis which is to include the following:-
- (A) a minimum 4.5 metre wide verge on the northern side;
- (B) a minimum 8 metre wide verge on the southern side comprising of:-
- (1) ~~a 'shared path' to facilitate~~ bicycle movements along this section of the Main Street in lieu of providing on-road bicycle lanes; and
- (2) a minimum 3 metre wide Transit Thoroughfare dedicated as road reserve.
- (b) The Central Spine Street from the Community Centre pedestrian access bridge landing to the town centre square is to:-
- (i) be of sufficient width to provide for traffic and turning lanes in accordance with detailed modelling analysis which is to include the following:-
- (A) a minimum 4.5 metre verge on the northern side;
- (B) a wider verge on the southern side to sufficiently accommodate bicycle traffic within the verge in lieu of on-road bicycle lanes;
- (ii) facilitate on-street parking (~~except east of Central Boulevard~~); and
- (iii) cater for safe and efficient pedestrian and bicycle movements.

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5.6 Bikeways/Pedestrian Links

5.6.1 Intent

This designation indicates in broad terms a network of bikeways and pedestrian paths which is planned to connect residential areas with major activity nodes including schools, shopping facilities, sporting facilities, open space and foreshore areas in the Kawana Waters Locality.

5.6.2 Implementation

Except as otherwise provided in the Transport Infrastructure Agreement:

- (a) The preferred routes of the bicycle/pedestrian network are indicated on DCP 1 Map 2 or as otherwise provided for in section 4.10.2 for each of the Detailed Planning Areas.
- (b) In assessing applications for Development, Subdivision and Master Plan approval, the Council will ensure that the relevant elements of the bikeway/pedestrian network are incorporated in the design.
- (c) At the Subdivision approval stage, the Council will require the developer to provide the land and construct those elements of the bikeway/pedestrian network contained within the new Development areas. The Council will progressively implement the links in currently Developed portions of the Kawana Waters Locality outside of the DCP Area as part of its overall strategy.

5.7 Public Transport Routes

5.7.1 Intent

The Council wishes to ensure that the potential for urban areas of the City to be provided with a public transport service in the future is recognised in the design and layout of Development proposals.

5.7.2 Implementation

- (a) In assessing applications for Development, Subdivision and Master Plan approval, the Council will ensure that roads are provided to an appropriate design standard to accommodate future bus traffic.
- (b) Lake Kawana Boulevard, which connects the Regional Hospital to the Nicklin Way in the east and to Kawana Way in the Multi-Modal Transport Corridor in the west, will incorporate bus queue bypass lanes at critical intersections to minimise delays to bus traffic.
- (c) To facilitate the provision of other future public transport infrastructure along the "Lake Kawana Boulevard to Regional Hospital" corridor identified on DCP 1 Map 7, road reserve widths will generally be as follows with the exact widths identified through the MPCDP:

Corridor Sections	Required Road Reserve Widths
B - C	As required by section 5.2.2
C - D	For the northern part of this corridor section the existing road reserve is to be widened by 5.0 metres, tapering to a widening of 2.4 metres at Point D. The road reserve widening is to be provided on the eastern side of the existing reserve.

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D – E	Minimum road reserve width of 31.45 metres tapering to 33.15 metres at Point E to accommodate turning lanes at the intersection at Point E.
E – F	Minimum road reserve width of 27.75 metres tapering to 33.15 metres at Point E to accommodate turning lanes at the intersection at Point E.
G- H	Road reserve width of 32.50 metres at Point H tapering to 27.75 metres at Point G (the western abutment of the bridge over the western waterway).

- (d) To facilitate the provision of other future public transport infrastructure along the "Kawana Way" corridor identified on DCP 1 Map 7, a corridor to be provided ~~to the Council as road reserve~~ adjacent to the eastern side of the Kawana Way ~~road reserve~~ will generally be as follows, with the exact widths and location of the eastern boundary of the corridor to be identified through the MPCDP:

Corridor Sections	Required Corridor Width (on eastern side of Kawana Way)
I - J	The corridor is to be approximately 8.2 metres wide at Point I, tapering to a width of approximately 11.4 metres at Point J.
K - L	The corridor is to be approximately 11.2 metres wide at Point K, tapering to a width of approximately 10.8 metres at Point L.
M – N	The corridor is to be approximately 9.9 metres wide at Point M, tapering to a width of approximately 12.9 metres at Point N.

6.0 MISCELLANEOUS PROVISIONS APPLYING THROUGHOUT THE DCP AREA

6.1 Landscaping to Sub-Arterial Roads and Waterways

- (a) Landscaping plans are to be submitted with Development applications for sites which have a frontage to any road designated as a sub-arterial road in this DCP or to any waterway.
- (b) Landscaping plans are to ensure that the Development presents an attractive appearance from the sub-arterial road or waterway and to this end should address the following requirements:-
- Compatibility with and enhancement of adjoining streetscape elements including landscaping treatments of adjoining sites and any footpath treatments.
 - Provision of visual screening to any unsightly areas (e.g. tidy areas, parking areas, loading bays and the like) within the site.
 - Provision and/or maintenance of appropriate levels of privacy for users of the subject site or adjacent sites.
 - Where acoustic screening is required, the landscaping plan shall indicate the landscaping treatment along the full length of such screening and how the landscaping complements the screening and/or reduces its visual impacts.

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6.2 Use of Reflective Glass on External Walls

Reflective glass which forms all or part of any external wall of a building shall not exceed:-

- (a) a maximum degree of reflection of both heat and light of 20 percent; and
- (b) 60 percent of the total area of such wall.

6.3 Landscaping of Basement Roof Area

The roof of any basement area is to be landscaped to the satisfaction of the Council. Appropriate landscape treatments of these roof areas may include lawn, planter boxes, planted moundings and tiling for use as outdoor terrace areas.

6.4 Parking Areas to be Open to Public

Parking areas provided in association with non-residential Development shall be kept open and freely accessible to the public during the hours of operation of the activities on the site. No mechanical devices, barriers or signage shall be erected which would impede or otherwise discourage access to parking areas on the site by the general public during these hours.

6.5 Energex Transmission Line Easement

The Council will require an easement to be granted in favour of Energex as a condition of approval of any Development or Subdivision application over land affected by the 132kv sub transmission line not contained within a dedicated road or park reserve and which passes through the Parrearra and Kawana districts in the general location indicated on DCP 1 Map 2.

6.6 Development Thresholds

- (a) Notwithstanding anything contained in the Planning Scheme, no Development or Subdivision shall be carried out in Precincts 1, 2, 3, 4 or 5 as specified in DCP 1 Map 4 where:-
 - (i) the population exceeds the population limit specified on DCP 1 Map 4 in respect of that precinct by more than ten percent (10%); or
 - (ii) the total population as specified on DCP 1 Map 4 in respect of Precincts 1, 2, 3, 4 and 5 (ie. 22,410 persons) is exceeded; or
 - (iii) the total gross floor area for retail and commercial uses within the Town Centre does not accord with the requirements of section 4.4.2(b).
- (b) For the purposes of section 6.6(a) the population of Precincts 1-5 shall be calculated in accordance with section 5.4.1 of the Planning Study.

7.0 MASTER PLANNED COMMUNITY DEVELOPMENT PROCESS

7.1 Introduction

7.1.1 Rationale

The Council has adopted the MPCDP for the purpose of implementing the DCP in recognition of the following salient factors:-

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- (a) all the major areas of undeveloped land in the DCP Area are under the ownership or control of the one developer, the Master Developer, which provides a unique opportunity for a fully integrated approach to the planning, Subdivision and Development of the Kawana Waters Community Development Area; and
- (b) the provisions of Development Lease No. 2 and related Development Documents, and the role of the lessee (the Master Developer) and the Minister in the implementation of the further Subdivision and Development of the undeveloped lease areas in accordance with such provisions; and
- (c) the intent of the Master Developer to work co-operatively with the Council, and the Minister, with respect to Development Lease No. 2, to prepare and implement the MPCDP to the balance of its holding, integrated with the existing established areas in the other parts of the Kawana Waters Locality within and adjacent to the DCP Area; and
- (d) the desirability of providing greater flexibility in the statutory provisions controlling such a large scale, comprehensively planned urban Development, to ensure the diversity of land use type, form and distribution essential to the creation of a fully integrated community which meets the needs of all its residents.

7.1.2 Application

The MPCDP set out below applies to all lands identified in DCP 1 Map 1 as being included in the Urban designation or identified in DCP 1 Map 3 as a DPA (other than DPA 3, DPA 5, DPA 6 or DPA 8).

7.1.3 Vision Statement

The following Vision Statement sets out the principles which will guide the future Development of the Kawana Waters Community Development Area through the MPCDP.

The Vision for the future of the Kawana Waters Community Development Area seeks to integrate:-

- (a) the community values to be incorporated in the aim to create a "complete community" with a strong residential emphasis and a "sense of place"; and
- (b) the market factors expected to govern and influence the rate, form and future growth of the area and the Sunshine Coast region; and
- (c) the need for the long-term economic viability of the Development.

To these ends, the future Development of the Kawana Waters Community Development Area is intended to:-

- (a) be undertaken in a structured, timely and cost-effective manner, which meets the needs of the community and the diverse markets expected to be attracted to the area; and
- (b) ensure a financially successful project; and
- (c) be characterised by:-
 - (i) quality in living environments, housing and all the diverse elements that constitute the community; and
 - (ii) variety of housing types and residential precincts, reflecting the diverse nature of the community; and

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- (iii) affordability appropriate to the range of income levels in the community, with the emphasis on value for money; and
- (iv) safety in both housing, movement and community-wide activity; and
- (v) completeness in:-
 - active and passive open space and recreation areas and facilities; and
 - schools and educational facilities; and
 - shopping, commercial facilities; and
 - employment areas; and
 - community and child care facilities; and
 - health and welfare services and facilities; and
 - emergency services; and
 - communication and public transport; and
- (vi) accessibility in relation to open space, education and community facilities, and services; and
- (vii) connectedness, a feeling of relationship, linkage, and belonging in respect of both the physical and human elements of the community; and
- (viii) character, identity and vitality being factors which set the community apart and make it its own place, not a dormitory suburb but an active, living and dynamic community.

7.1.4 Implementation

7.1.4.1 The planning, Subdivision and Development of the DPAs and Urban designated areas of the DCP Area is controlled by the Development Documents.

7.1.4.2 The MPCDP implements the vision and intent of the DCP utilising the Development Documents to achieve an integrated approach to the planning, Subdivision and Development of the DPAs and the areas designated Urban under the DCP.

7.1.4.3 Where an application for approval of a Master Plan, Subdivision, or Development is required to be lodged with and determined by the Council, the application may be:-

- (a) lodged separately, concurrently or sequentially with any other application notwithstanding the provisions of the Planning Scheme; and
- (b) determined by the Council in accordance with all relevant legislation (including subordinate legislation) separately, concurrently or sequentially.

7.2 Development of DCP Area

7.2.1 Development Rights

Notwithstanding any provision of the Planning Scheme, land designated DPA or Urban under the DCP shall not be Developed except for an Existing Use unless:-

- (a) the Master Plans as required to be prepared by the DCP have been approved in accordance with the Development Agreement and the DCP; and
- (b) where the Development involves Subdivision of the land, the Development is to be carried out on an allotment specifically identified and approved for that purpose by a Subdivision in accordance with section 7.3 of the DCP; and

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- (c) the Development complies with:-
 - (i) the Development Documents; and
 - (ii) the approved Master Plans including the conditions of approval, Development Criteria, Urban Design Performance Criteria and Site Development Plan Design Parameters.

7.2.2 Permitted, Conditional Permitted and Permissible Development

The Planning Scheme provisions provide that land:-

- (a) designated Urban or DPA 10 under the DCP can be Developed for:-
 - (i) a Permitted Development in the Residential A zone where the purpose is Developed on an allotment specifically identified and approved for that purpose by a Subdivision in accordance with section 7.3.1 or 7.3.2 of the DCP; and
 - (ii) a Conditional Permitted Development in the Residential A zone where the purpose is specified on a Precinct/Estate Plan approved in accordance with the DCP; and
 - (iii) a Permissible Development in the Residential A Zone;
- (b) designated as DPA under the DCP (other than DPAs 4 and 10) can be Developed for:-
 - (i) a Permitted Development in the Special Development Zone where the purpose is specified in column 1 of a Supplementary Table of Development; and
 - (ii) a Conditional Permitted Development in the Special Development Zone where the purpose is specified in column 2 of a Supplementary Table of Development; and
 - (iii) a Permissible Development in the Special Development zone where the purpose is specified in column 3 of a Supplementary Table of Development; and
- (c) designated as DPA 4 under the DCP can be Developed for:-
 - (i) a Permitted Development in the Open Space and Sport and Recreation Zones where the purpose is specified in column 1 of a Supplementary Table of Development; and
 - (ii) a Conditional Permitted Development in the Open Space and Sport and Recreation Zones where the purpose is specified in column 2 of a Supplementary Table of Development; and
 - (iii) a Permissible Development in the Open Space and Sport and Recreation Zones where the purpose is specified in column 3 of a Supplementary Table of Development; and
- (d) which is not designated Urban or DPA under the DCP can be developed for those purposes specified in the Table of Development applicable to the zoning of the land.

7.3 Subdivision of DCP Area

7.3.1 Freehold Land

Notwithstanding the provisions of the Planning Scheme, Freehold Land and Freeholded Lease Land which is within a DPA or designated Urban under the DCP shall not be Subdivided unless:-

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- (a) in the case of Freehold Land, the Council has approved all Master Plans required by the DCP to be prepared in respect of the land; and
- (b) a Subdivisional approval is granted by the Council in accordance with the DCP; and
- (c) the Subdivision is to enable the Development of the land for a Permitted Development, Conditional Permitted Development or Permissible Development; and
- (d) the Subdivision complies with:-
 - (i) the Development Documents; and
 - (ii) the approved Master Plans including the conditions of approval, Development Criteria, Urban Design Performance Criteria and Site Development Plan Design Parameters.

7.3.2 Development Lease No 2

Land which is within Development Lease No 2 which is designated as a DPA or Urban under the DCP shall not be Subdivided under the Land Act 1994 other than in accordance with the Development Agreement.

7.4 Preparation of Master Plans

7.4.1 Structure Plan

7.4.1.1 A Structure Plan must be prepared in respect of the DPAs and the Urban designated areas of the DCP Area shown on DCP 1 Maps 1 and 3.

7.4.1.2 The Structure Plan must:-

- (a) outline the broad intent and structure of the DPAs and Urban designated areas of the DCP Area; and
- (b) show in more detail the elements of the DCP including:-
 - (i) the extent and relationship between proposed neighbourhood areas in terms of neighbourhood boundaries and the principles on which those boundaries are based (such as community of interest, definable edges and community culture); and
 - (ii) the predominant and preferred land use opportunities described in the various elements of the DCP; and
 - (iii) spatial location and hierarchy of business and community facilities elements; and
 - (iv) movement network including the major arterial roads, sub-arterial roads, trunk collector streets, collector streets and proposed public transport corridors; and
 - (v) open space system; and
 - (vi) shape, profiles and function of the water bodies that result from the reclamation work together with the urban design rationale used to determine the location and alignment of the water bodies; and
 - (vii) the physical urban infrastructure (other than the road network) that is required to service the Kawana Waters Community Development Area; and

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- (c) accompanied by supporting data including:-
 - (i) an urban design rationale which describes the principles, concepts and strategies underpinning and guiding the form, type and arrangement of land uses and describes compliance with the DCP; and
 - (ii) an education strategic analysis; and
 - (iii) a commercial opportunities plan; and
 - (iv) an employment analysis; and
 - (v) an impact assessment of flooding and drainage issues, water quality issues and construction and geotechnical issues; and
 - (vi) in addition to any requirements for traffic impact analysis under the Transport Infrastructure Agreement, a traffic and transportation network analysis; and
 - (vii) a physical urban infrastructure, capacity and network analysis; and
- (d) comply with the Development Documents; and
- (e) be prepared at a scale 1:10,000.

7.4.2 Neighbourhood/Village Plan

7.4.2.1 A Neighbourhood/Village Plan must be prepared in respect of DPA 10 and the Urban designated areas of the DCP Area shown on DCP 1 Maps 1 and 3.

7.4.2.2 The Neighbourhood/Village Plan must:-

- (a) outline the general nature, form and extent and location of Development for an area of neighbourhood/village scale within the approved Structure Plan; and
- (b) show in more detail the elements of the DCP identified within the approved Structure Plan including:-
 - (i) the nature, location and density of Development; and
 - (ii) the centre hierarchy; and
 - (iii) the movement networks including trunk collector streets, collector streets, cycle and pedestrian systems, public transport networks and proposed public transport corridors; and
 - (iv) open space system; and
 - (v) the shape, profiles and function of the water bodies; and
 - (vi) the physical urban infrastructure (other than the road network) that is required to service the development of the neighbourhood/village area; and
- (c) control the form and extent of Development within the neighbourhood/village boundary through:-
 - (i) Development Criteria; and
 - (ii) Urban Design Performance Criteria if appropriate; and

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- (iii) Site Development Plan Design Parameters if appropriate; and
 - (d) comply with:-
 - (i) the Development Documents; and
 - (ii) the approved Structure Plan including conditions of approval and Development Criteria; and
 - (e) be prepared at a scale of 1:1,500.
- 7.4.3 Detailed Planning Area Plan
- 7.4.3.1 Detailed Planning Area Plans must be prepared in respect of DPAs 1, 2, 4, 7, 9, 11, 12,13, 14 and 15 shown on DCP 1 Map 3.
- 7.4.3.2 A Detailed Planning Area Plan to be prepared pursuant to section 7.4.3.1 must:-
- (a) outline the general nature, form, extent and location of Development for a DPA in the approved Structure Plan; and
 - (b) show in more detail:-
 - (i) the elements of the DCP identified within the approved Structure Plan including those matters set out in 7.4.2.2(b); and
 - (ii) the land uses proposed in the DPA; and
 - (iii) the precincts and purposes for which those precincts will be Developed which require a Site Development Plan; and
 - (c) control the form and extent of Development within the DPA through:-
 - (i) Development Criteria; and
 - (ii) Urban Design Performance Criteria, if appropriate; and
 - (iii) Site Development Plan Design Parameters, if appropriate; and
 - (d) comply with:-
 - (i) the Development Documents; and
 - (ii) the approved Structure Plan including any conditions of approval and Development Criteria; and
 - (e) be prepared at a scale of 1:1500.
- 7.4.4 Precinct/Estate Plan
- 7.4.4.1 A Precinct/Estate Plan must be prepared for the whole or part of an approved Neighbourhood/Village Plan except in the case of Currimundi North (being the land contained within Plan No 49-2780-10A dated 5/6/95) and the Upstream Island (being the land contained within Plan No 3-2780-13B dated 30/3/89) where Plan Nos 49-2780-10A and 3-2780-13B or any subsequent amendment approved by the Minister or the Council shall be deemed to be the approved Precinct/Estate Plans for the purposes of the DCP.

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7.4.4.2 The Precinct/Estate Plan must:-

- (a) show the following:-
 - (i) the Subdivision layout with lot boundaries; and
 - (ii) the purposes for which each lot may be Developed under the Planning Scheme; and
 - (iii) the lots which require a Site Development Plan; and
 - (iv) movement networks including cycle and pedestrian linkages; and
 - (v) open space provision; and
 - (vi) water bodies; and
- (b) comply with:-
 - (i) the Council's Subdivisional requirements; and
 - (ii) the Minister's Subdivisional requirements where the Precinct/Estate Plan relates to land within Development Lease No 2; and
 - (iii) the Development Criteria applicable to any purpose shown on the Precinct/Estate Development Plan; and
 - (iv) the approved relevant Neighbourhood/Village Plan including any conditions of approval, Development Criteria and Urban Design Performance Criteria and Site Development Plan Design Parameters; and
 - (v) the relevant conditions of approval of the Structure Plan including any Development Criteria; and
 - (vi) the Development Documents; and
- (c) be prepared at the scale required by the Council and Minister.

7.4.5 Site Development Plan

7.4.5.1 A Site Development Plan must be prepared in respect of:-

- (a) those parts of DPAs 1, 2, 4, 7, 9, 11, 12, 13, 14 and 15 shown on DCP 1 Map 3 which are identified by the Detailed Planning Area Plan as requiring a Site Development Plan; and
- (b) those parts of the Urban designated areas within the DCP Area which are identified by a Precinct/Estate Plan as requiring a Site Development Plan.

7.4.5.2 The Site Development Plans that are required to be prepared in respect of DPAs 1, 2, 4, 7, 9, 11, 12, 13, 14 and 15 must:-

- (a) show the following:-
 - (i) the Subdivision layout with lot boundaries; and
 - (ii) the purpose for which each lot may be Developed; and
 - (iii) the movement network including bicycle and pedestrian linkages; and

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- (iv) where appropriate, having regard to the size of the lot or nature of the Development, the following:-
 - (A) building envelopes and set backs; and
 - (B) indicative or detailed building layouts; and
 - (C) private open space; and
 - (D) access and parking provision; and
 - (E) any boundaries on which the walls of the Building or associated Structures (other than fences up to 1.8 metres high) are proposed to be erected; and
- (v) open space provision; and
- (vi) waterbodies; and
- (b) for small lot housing below 300m², also show the following:
 - (i) on street car parking locations and landscaping, including street trees; and
 - (ii) design guidelines for buildings and structures including garages; and
 - (iii) sub-tropical design principles which need to address such issues as solar orientation, indoor outdoor relationship, cross ventilation, landscaping and covered/shaded outdoor open space living areas; and
 - (iv) conceptual stormwater drainage and locations of stormwater treatment devices; and
- (c) comprise a Supplementary Table of Development which is consistent with the provisions of the DCP relevant to the particular DPA; and
- (d) comply with:-
 - (i) the Council's Subdivisional requirements; and
 - (ii) the Minister's Subdivisional requirements where the DPA comprises land in Development Lease No 2; and
 - (iii) the Development Criteria applicable to any purpose shown on a Site Development Plan; and
 - (iv) the Development Documents; and
 - (v) the approved relevant Detailed Planning Area Plan including any conditions of approval, Development Criteria, Urban Design Performance Criteria and Site Development Plan Design Parameters; and
 - (vi) for DPAs 1, 2, 4, 7, 9, 11, 12, 13, 14 and 15, the conditions of approval of the Structure Plan including any Development Criteria; and
- (e) be prepared at a scale required by Council.

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7.4.5.3 A Site Development Plan that is required to be prepared in respect of the Urban designated areas of the DCP Area that are identified in a Precinct/Estate Plan must:-

- (a) show the matters set out in section 7.4.5.2(a); and
- (b) comply with the matters set out in section 7.4.5.2(d)(i)–(iv) as well as:-
 - (i) the approved relevant Precinct/Estate Plan including any conditions of approval and Development Criteria; and
 - (ii) the relevant conditions of approval of the Structure Plan and Neighbourhood/Village Plan including any Development Criteria, Urban Design Performance Criteria and Site Development Plan Design Parameters; and
- (c) be prepared at a scale required by the Council.

7.5 Application for Approval of Master Plans

7.5.1 Requirement to Apply

An application must be made to the Council for approval of:-

- (a) that part of the Structure Plan, Neighbourhood/Village Plans, Detailed Planning Area Plans and Precinct/Estate Plans that relates to the Freehold Land; and
- (b) that part of all Precinct/Estate Plans which relate to Conditional Permitted Development that relates to land within Development Lease No 2; and
- (c) all Site Development Plans irrespective of whether they relate to the Freehold Land or Development Lease No 2.

In accordance with the Development Agreement, applications must be made to the Minister for approval of that part of the Structure Plan, Neighbourhood/Village Plans, Detailed Planning Area Plans and Precinct/Estate Plans that relate to land within Development Lease No 2.

7.5.2 Sequencing of Applications

An application to the Council for approval of a Master Plan shall not be approved by the Council pursuant to the DCP until any higher order Master Plan required by the DCP has been approved.

7.5.3 Form of Application

The application for approval of a Master Plan shall:-

- (a) be in writing; and
- (b) specify:-
 - (i) the Master Plan for which approval is sought; and
 - (ii) the street address, property description and area of the land to which the Master Plan relates; and
 - (iii) the full name and postal address of the applicant; and
 - (iv) that part of the Freehold Land and Development Lease No 2 to which the application relates; and

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- (c) be signed by the applicant; and
- (d) be authorised in writing by the owner where the application is made by a person other than the owner; and
- (e) be accompanied by six (6) copies of the Master Plan for which approval is sought; and
- (f) be accompanied by the Prescribed Fee.

7.5.4 Service of Application

Where application is made to the Council for approval of a Structure Plan pursuant to section 7.5.1, the application and accompanying Structure Plan must be submitted to State Government Departments within two (2) working days in accordance with this section and the Development Agreement.

7.5.5 Review of Structure Plan

Where an application for approval of a Structure Plan is submitted to State Government Departments pursuant to section 7.5.4, the State Government Departments may lodge a submission with the Council on the Structure Plan within twenty (20) days of the receipt of the Structure Plan.

7.5.6 Application for Amendment of Approved Master Plan

An application for amendment of an approved Master Plan shall be made and determined in the same manner as an application for approval of a Master Plan.

7.6 Consideration of Master Plan

7.6.1 Requirement to Consider

The Council shall consider in accordance with the requirements of section 7.6, an application pursuant to section 7.5.1 for approval of the Master Plan made to the Council.

7.6.2 Further Particulars

The Council may within fourteen (14) days of the lodgement of the Master Plan with the Council request the applicant to provide such further particulars as are necessary to determine the Master Plan.

7.6.3 Making of Application

An application is to be taken not to be duly made until:-

- (a) all the provisions of section 7.5.3 have been complied with; and
- (b) the Master Plan submitted with the application has complied with the relevant provisions of section 7.4; and
- (c) the applicant has provided the particulars requested pursuant to section 7.6.2.

7.6.4 Timing of Determination

The Council shall determine an application for approval of:-

- (a) a Structure Plan:-

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- (i) within ninety (90) days after the application is taken to be duly made pursuant to section 7.6.3; or
- (ii) such further period not exceeding thirty (30) days as notified by the Council to the applicant in writing prior to the expiry of the time period in section 7.6.4(a)(i); and
- (b) a Neighbourhood/Village Plan or Detailed Planning Area Plan:-
 - (i) within sixty (60) days after the application is taken to be duly made pursuant to section 7.6.3; or
 - (ii) such further period not exceeding twenty (20) days as notified by the Council to the applicant in writing prior to the expiry of the time period in section 7.6.4(b)(i); and
- (c) a Precinct/Estate Plan:-
 - (i) within forty (40) days after the application is taken to be duly made pursuant to section 7.6.3; or
 - (ii) such further period not exceeding twenty (20) days as notified by the Council to the applicant in writing prior to the expiry of the time period in section 7.6.4(c)(i); and
- (d) a Site Development Plan in respect of:-
 - (i) a Permitted Development in the Residential A Zone within twenty (20) days after the application is taken to be duly made pursuant to section 7.6.3; and
 - (ii) other Development within forty (40) days after the application is taken to be duly made pursuant to section 7.6.3; and
- (e) Subdivision or Development in accordance with the Act; and
- (f) more than one of the above applications within the time period specified for that application which has the longest time period pursuant to section 7.6.4(a) - (e).

7.6.5 Council's Determination

The Council may in respect of an application for approval of a Master Plan lodged with the Council pursuant to section 7.5.1:-

- (a) approve the application; or
- (b) approve the application subject to conditions; or
- (c) refuse the application.

7.6.6 Notice of Determination

The Council shall give written notice to the applicant and the Minister of its determination under section 7.6.5 within ten (10) working days of making its determination.

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APPENDIX 1

COMMUNITY RECREATION & OPEN SPACE MODEL

The Community Recreation & Open Space Model presented below identifies and sets out an appropriate basis for the consistent assessment of the open space needs and requirements of communities of varying size and nature, in order to provide guidance to the urban designers and developers in the planning and development of parkland in parallel with the broader community development process.

The model for the Open Space Hierarchy is theoretical, in that the area contained within the Kawana Waters Locality is subject to physical constraints which influence parkland placement and size and location of population catchments, as well as visibility and access opportunities. What it does do, is set out the recreational intent of the various types of park as a brief for the Urban Designer, as well as for Council in its role as planning assessor and custodian of the open space network.

In addition to prescriptive size and service standards which act as "deemed to comply criteria", the model identifies performance parameters, based on interdependent variables which control demand and/or use patterns. These include:-

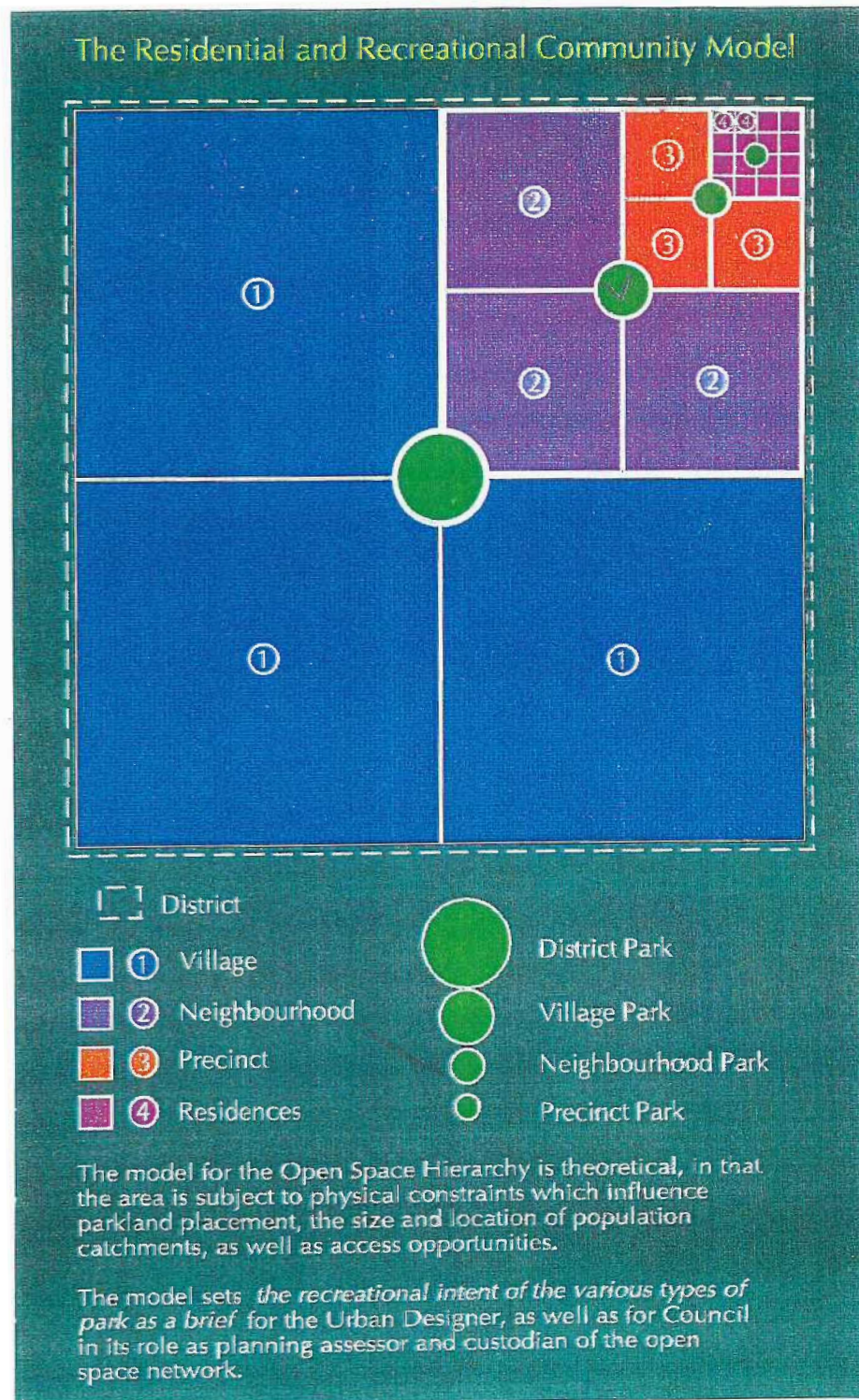
1. Population catchment or likely user numbers;
2. Travel distance relative to travel mode expected;
3. Type of recreational opportunity expected.

It is essential to note that the order of parks is not a reflection of their importance to the community in meeting their recreational demand. Rather, it is a reflection of the size of the population catchment needed to support the recreational use and the degree of specialisation necessary to also perform the recreational functions (passive as well as active) over the range of parkland types and sizes.

The open space components proposed within the model are indicative only of the minimum land requirements at the Master Planning stage and where "deemed to comply criteria" are not to be followed an accompanying report is to specify departures and the reasons therefore. What is important, however, is the provision of open space in close proximity to all dwellings (within 500 metres), with larger or more specialised areas occurring less frequently.

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PEDESTRIAN PATHS & CYCLEWAYS

Intent: To link or connect the surrounding residential and other active areas.

DEEMED TO COMPLY CRITERIA:

Catchment Population: Precinct Area

Access Mode: Pedestrian and Bicycle

Travel Distance or Time: Within 200 to 300 metres safe walking/bicycling distance of precinct resident population.

- Minimum Requirements:
- Minimum width of linear system is to be 4m to accommodate a 2m paved pedestrian/bicycle path (1.2 metre width if only a pedestrian pathway required).
 - The routes are to be designed to maximise pedestrian and rider safety.
 - Bikeway routes to be designed to minimise the number of vehicular conflict points.
- Minimum Service Requirements:
- Route identification signage
 - Pedestrian rider slow points or controlled access and crossing areas to minimise conflict with vehicle traffic.

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LINEAR PARKS

Recreational Intent: To link or connect focal parkland areas and other community activity areas and facilitate public access from the surrounding residential areas.

To contribute to the recreational experience of the journey to recreational facilities, to work, school, etc.

DEEMED TO COMPLY CRITERIA:

Catchment Population: Neighbourhood Area

Access Mode: Pedestrian and Bicycle

Travel Distance or Time: 5 - 10 minute safe walking distance of resident population.

Minimum Recreational Requirements:

- Minimum width of linear system is to be 4m.
- Rest spots are to be provided at approximately 500m intervals along routes. Ideally this function would be provided by a Precinct or higher order Park. In the event that such a focal park area is not available, a shaded seating area, with drinking fountain, is to be provided beside, but not obstructing, the pathway route.
- The routes are to be designed to maximise pedestrian and rider safety. Where possible, routes are to be visible to public observation for security against criminal and vandal activity as well as being adequately lit.

Minimum Service Requirements:

- Park and Route Identification Signage.
- Water connections for maintenance and Park Users.
- Pedestrian/Rider slow points or controlled access and crossing areas to minimise conflict with vehicle traffic.
- Rubbish bins at each defined entry point.

DESIRABLE ADDITIONAL RECREATIONAL OPPORTUNITIES:

- A 2m paved pedestrian/bicycle path and some landscaping/shade planting to the sides.

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PRECINCT PARKS

Recreational Intent: To supplement private open space provisions and actively encourage social interaction within individual precincts.

DEEMED TO COMPLY CRITERIA:

Catchment Population: Precinct Area

Access Mode: Pedestrian and Bicycle

Travel Distance or Time: To be located within 500m safe walking distance of resident population within the subject precinct.

Minimum Recreational Requirements:

- Seating/small group meeting area catering for 2 to 6 persons.
- Informal play/running space, clear of vegetation or other obstacles but within view of the seating area. The space is to have a generally flat topography to enable greatest utilisation and visibility. Sizes should generally be at least 1000 sq. m. in area, other than the Transit Thoroughfare in DPA_13 which should be at least 500 sq.m. in area, but smaller, more frequently distributed and visible areas down to 400 sq. m. in area could be acceptable where part of a linked network of such spaces designed to enhance residential amenity throughout precinct areas generally.

Minimum Service Requirements:

- Park Identification Signage.
- Water tap connection for Park maintenance.
- Drinking Fountain/Tap for Park Users.
- Rubbish Bin at each entry point.
- Public Toilet Block in the Precinct Park in the Green Spine.

DESIRABLE ADDITIONAL RECREATIONAL OPPORTUNITIES:

Recreational Opportunities:

- Playground equipment to accommodate 5 to 10 children at any given time, except in the Green Spine in DPA 13 which is to comprise informal play opportunities supplemented by nature based play areas for children in a series of nodes throughout the Green Spine.
- A Communal BBQ and or picnic table/shelter,

Services:

- Lighting for night time use and pedestrian safety.

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NEIGHBOURHOOD PARKS

Recreational Intent: To provide an area for social and active recreation interaction of residents within the Neighbourhood.

For the purposes of this section of the criteria, Neighbourhood is described as:-

"a residential dwelling cluster that provides a livable space that has appropriate pedestrian linkages to a neighbourhood focus, where the pedestrian has to walk no more than say 400 metres or 15 minutes walking time to the focus, planned and designed to achieve a recognisable identity".

This park system recognises the topography, the natural open space and water bodies to be created and public access opportunities as of significant value in the neighbourhood recreation experience. Where in Birtinya, lakes with generally continuous linear park access, will dominate the recreation experience and in Parrearra the Canal/lake with navigable access will also dominate the recreation experience where the system of parks will provide each neighbourhood with appropriate soft edge access to the waterway.

Subject to the foregoing criteria being met, and where practicable, Neighbourhood Parks shall be located adjacent to esplanades and canals.

DEEMED TO COMPLY CRITERIA:

Catchment Population: Neighbourhood Area

Access Mode: Pedestrian or bicycle, public or private transport.

Travel Distance or Time: 400m or 5 minute drive.

Minimum Recreational Requirements:

- Within each neighbourhood area, at least one such park area of not less than 4,000 sq. m., other than the Green Spine in DPA 13 town-centre square in DPA 13 and the neighbourhood park in the North Birtinya precinct in DPA 11 (both of which have a park area of not less than 3,000 sq.m.), reasonably centrally located as to access and visibility within the neighbourhood, is to include the following space allocations for the following purposes:-
 - Public Toilet Block (with the exception of the Neighbourhood Park in the Green Spine) toilets;
 - Playground equipment, with a focus on nature based play areas for children in a series of nodes throughout the Green Spine in DPA 13;
 - Pathways;
 - Garden/Tree planting areas;
 - Shelter shed/Pavilion;
 - Informal play areas to be 1,200 sq.m. minimum which can also be used as a more formalised meeting/seating area for up to 10 people, which has an overflow capacity of up to 40 or small spectator crowd to support the open space area if required.

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Such park to include the provision of:-

- A playground area with appropriate equipment to accommodate 10 children at any one time, with the exception of the Neighbourhood Park in the Green Spine in DPA 13 where there is a focus on nature based play areas for children in a series of nodes throughout the Green Spine.
- A Shelter Shed/Pavilion (minimum of 10m² shade area)
- Pathways appropriate to provide edges to the play space and linkages to the Neighbourhood residential min 2 metres wide and 60 metres in length, with the exception of the pathway network throughout the Green Spine.
- 2 BBQ and picnic tables, with the exception of DPA 13 where BBQ facilities are to be provided in the Precinct Park in the Green Spine in DPA 13.
- 20m Frontage to Collector Road.
- Provision of indented parking within the road reserve.
- All Precinct Park Level Services.
- Public Toilet Block, with the exception of DPA 13 where a Public Toilet Block is to be provided in the Precinct Park in the Green Spine.

Minimum Service Requirements:

DESIRABLE ADDITIONAL RECREATIONAL OPPORTUNITIES:

Service Requirements:

- ~~Public Telephone. (Subject to the Communications Providers Policy on the provision of such facilities.)~~
- Bus Stop and Shelter (with the exception of DPA 13).
- Bike Racks for 12 to 15 bicycles

Recreational Opportunities:

- Playground Area / Equipment to accommodate up to 20 children at any one time, with the exception of DPA 13 where there is a focus on nature based play areas for children in a series of nodes throughout the Green Spine.

Services:

- Adequate lighting for night time use and pedestrian safety.

Caloundra City Council

Planning Scheme

VILLAGE PARKS

- Recreational Intent:
- In addition to encouraging social and recreational interaction at the neighbourhood level, these parks are to be specifically located and designed to support the community and civic function and amenity of the Village Centre.
 - For the purposes of this section of the criteria Village is described as "the cluster of neighbourhoods that comprise a population catchment of up to 10,000 persons".
 - This park system recognises the topography, the natural open space and water bodies to be created and public access opportunities as of significant value in the neighbourhood recreation experience. Where in Birtinya, lakes with generally continuous linear park access, will dominate the recreation experience and in Parrearra the Canal/lake with navigable access will also dominate the recreation experience where the system of parks will provide each neighbourhood with appropriate soft edge access to the waterway.

DEEMED TO COMPLY CRITERIA

- Catchment Population: Village or Expanded Neighbourhood Area.
- Access Mode: Public Transport, private vehicle or bicycle.
- Travel Distance or Time: 10 minute drive.
- Minimum Recreational Requirements:
- All minimum recreational requirements of Neighbourhood Level Parks except the informal oval area clear of vegetation and with a flat free draining topography of at least 2ha.
 - Within the Park System for each Village Area there needs to be at least one larger park area set aside to accommodate "village" scale recreational events. Such a park should contain informal oval areas clear of vegetation and with generally flat free-draining topography, and of a size and dimension of approximately 5,000m² with no club facilities permitted.
 - Due to the scale of such a facility it may not be appropriate to locate it adjacent to the Village Centre. Such a park shall, however, have a clearly defined pedestrian/cycle access route linking it to the Village communities.
 - Where such a facility is located away from the Village Centre, there needs to be alternative open space areas provided adjacent to the Village Centre of at least 3,000m² in areas, and developed for either "Civic" or less formal recreational activities appropriate to a community recreation area of a Village nature.
 - Parks adjacent to the Village Centre are to demonstrate a direct relationship (physical as well as visual) with the Village Centre. The design is to express a degree of "ornamentation" that can be viewed as an expression of community identity. Such design elements are to be in concert with the architectural and landscaping style developed within the Village Centre. Ideally these spaces should perform the traditional function of the "Village Green".

Caloundra City Council

Planning Scheme

- At Bokarina however specific criteria is attached to the makeup of the land for parks and community facilities and as such it is important to recognise those particular criteria in that detail design may determine that the park size will relate to its location and function. Such facilities may therefore be less than the areas quoted above but will total the areas described in DPA No. 2.
 - A fenced Playground Area with appropriate equipment, to accommodate up to 20 children at any one time.
- Minimum Service Requirements:
- All minimum service requirements for Neighbourhood Level Park, however where possible such services should be integrated for shared use with the Village Centre.
 - On-site parking for a minimum of 15 spaces to be provided for Village Parks.
- DESIRABLE ADDITIONAL RECREATIONAL OPPORTUNITIES:
- Recreational Opportunities:
- Retail and or food outlets should be encouraged, where appropriate, within or adjacent to parkland areas to encourage patronage.
 - 2 to 3 BBQ and or picnic table/shelters.
- Services:
- Adequate lighting to encourage night time use.

Caloundra City Council

Planning Scheme

DISTRICT PARKS

Recreational Intent: To provide for specialised recreational and sporting facilities which are accessible to and utilised by all Neighbourhood Units collectively.

DEEMED TO COMPLY CRITERIA:

Catchment Population: All Neighbourhood Units/District.

Access Mode: Public Transport and Private Vehicles.

Travel Distance
or Time: 10 to 15 minutes

Minimum Recreational
Requirements:

- All requirements of a Neighbourhood Level Park, ideally separated as a readily accessible and unencumbered section of the overall complex to facilitate use by the general public.
- Providing an attraction or level of specialised facilities which are unique within the District, and therefore unable to be provided for by lower level parks. Such proposals need to be assessed on their individual merits, size and service requirements.
- Upgrading and expansion, or addition to existing District Level Park facilities - such as the Kawana Sports Complex, to continue to cater for the projected population increase of about 25,000 people.

**DESIRABLE ADDITIONAL
RECREATIONAL OPPORTUNITIES:**

Minimum Service
Requirements:

- Not less than 40m frontage to either a trunk collector or sub-arterial road.
- All other Neighbourhood Park Level Services.

Recreational Opportunities:

- 3 to 4 BBQs and/or picnic table/shelters.

Services:

- Local Taxi Call Box and Rank.
- Underground Service Boxes to allow the informal oval or other parts of the site to accommodate visiting attractions such as Circus or Local Trade Shows to set up.
- The Park is to be well serviced by Public Transport with adequate provision and parking for not less than 4 buses on-site.
- On site parking should be increased to not less than 30 permanent car spaces on site with opportunity of using the informal oval to act as overflow parking areas when required for special events.

Caloundra City Council

Planning Scheme

REGIONAL PARKS

Recreational Intent: To provide extremely specialised facilities or unique attractions for recreational and sporting activities servicing the Sunshine Coast Region as a whole.

DEEMED TO COMPLY CRITERIA:

Catchment Population: Regional Area of the Sunshine Coast and nearby Hinterland.

Access Mode: Public Transport, Chartered Bus and Private Vehicles.

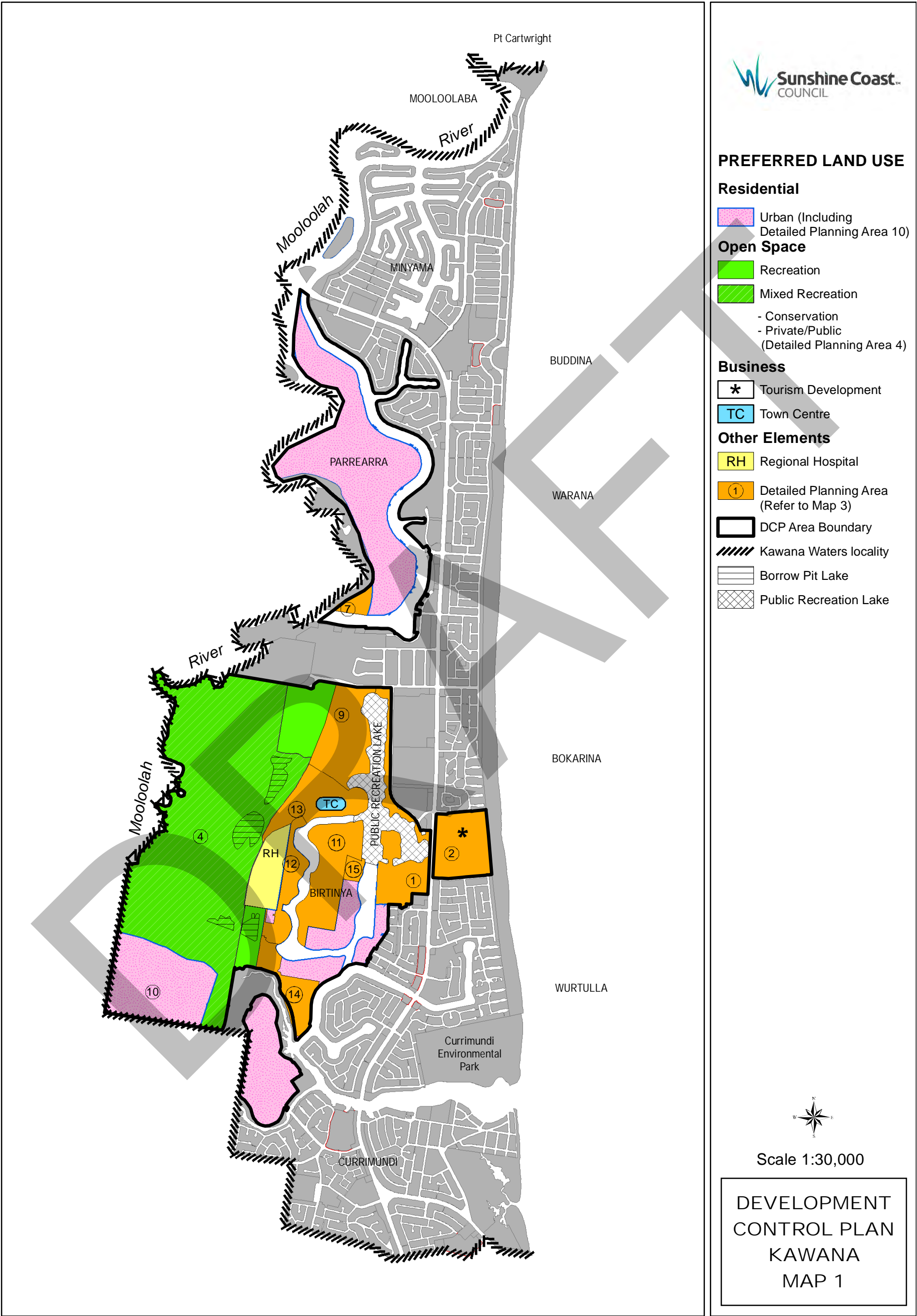
Travel Distance or Time: 45 minutes to 1 hour (depends on event)

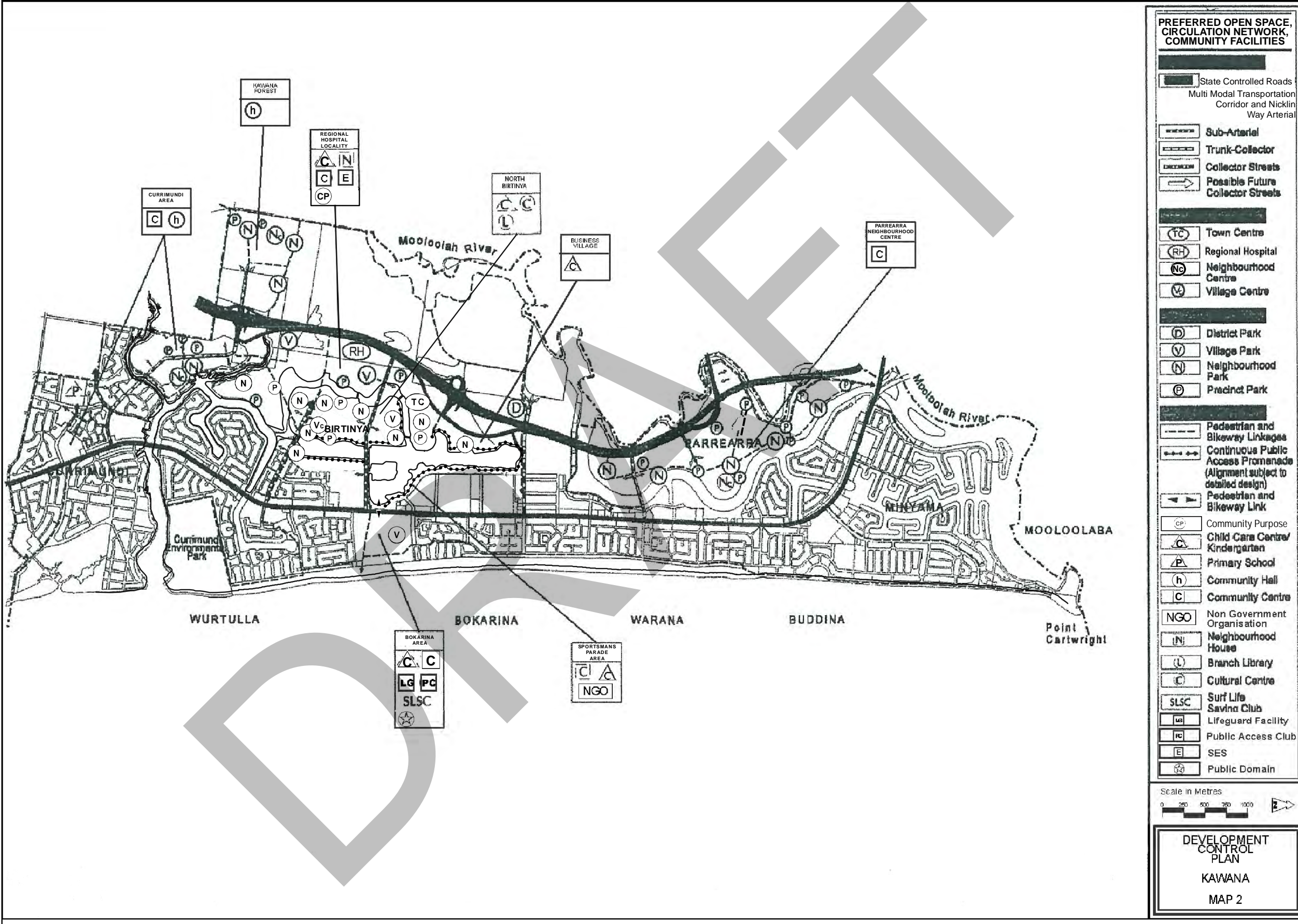
Minimum Recreational Requirements:

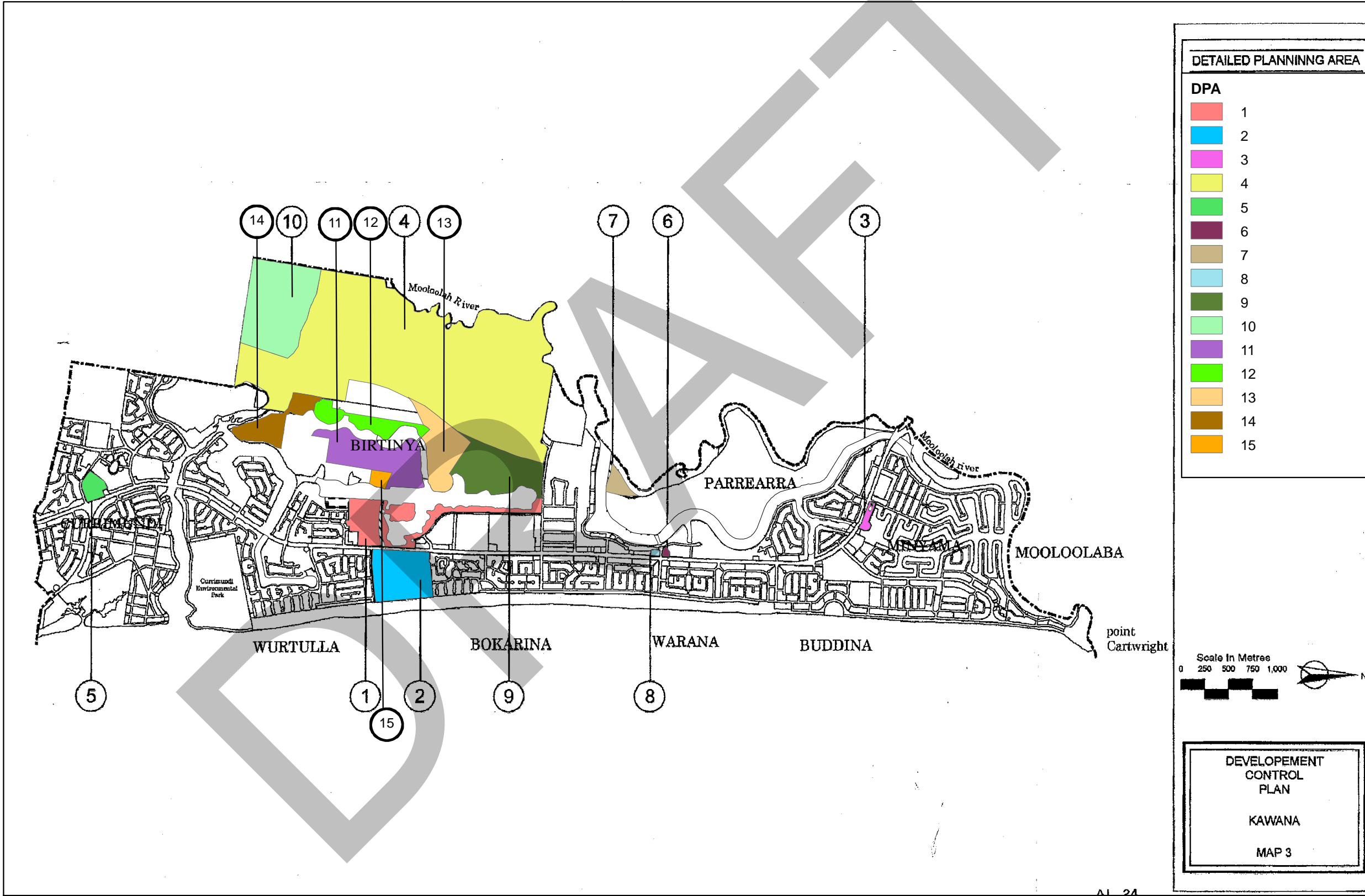
- Providing an attraction or level of specialised facilities which are unique within the Region, and therefore unable to be provided for by lower level parks. Such proposals need to be assessed on their individual merits, size and service requirements.
- Expansion and addition to the district level facilities such as provided by the Kawana Sports Complex will overlap to provide for a Regional Level Venue for Inter District Sporting Competition. Given the proximity to Brisbane and size of the Regional Population, this combining of District and Regional Level function is to be encouraged in preference to developing isolated facilities. Equally, development of such facilities west of the existing Kawana Sports Complex may yield opportunities to integrate it with and establish a physical link to the existing, neighbouring National Park. Clearly, with appropriate access and service provisions, the National Park could be promoted as a unique and natural attraction for the Region.

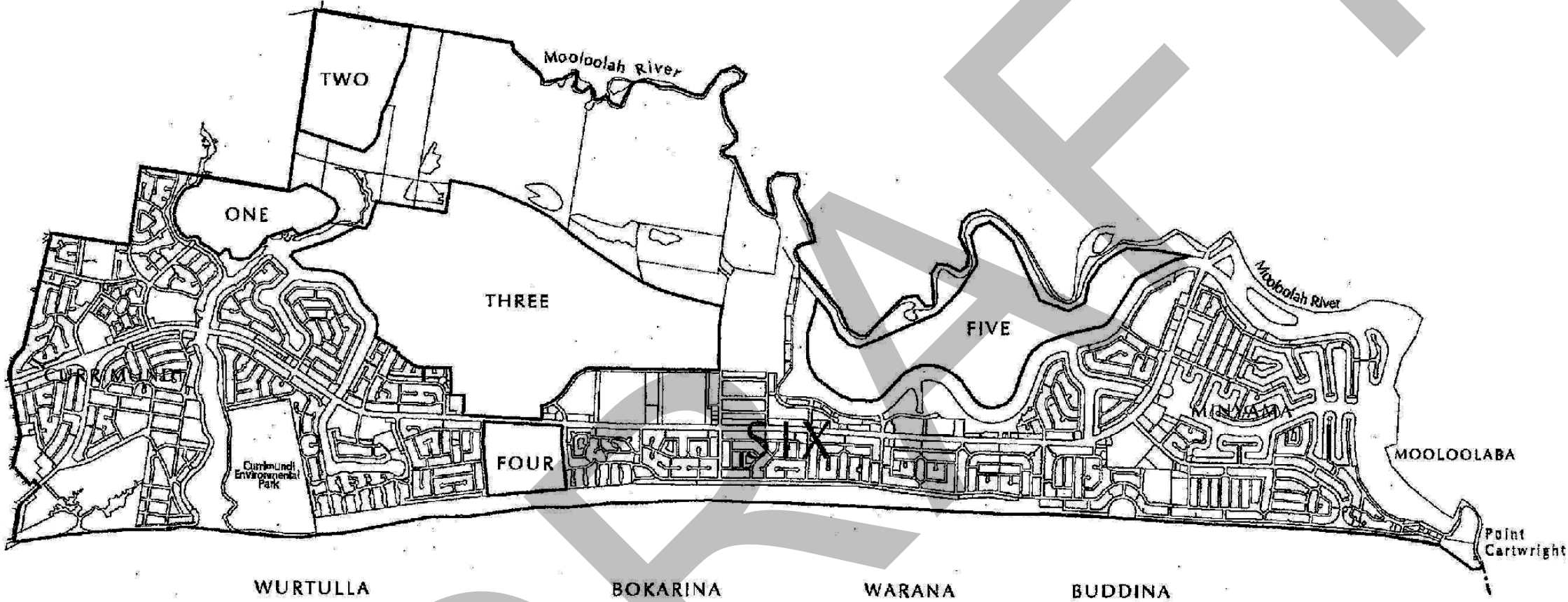
Minimum Service Requirements:

- Must be accessed from Major Arterial Routes via a sub-arterial road and be adequately serviced by Public Transport and private Charter Bus Services.









POPULATION THRESHOLDS	
PRECINCT	MAXIMUM POPULATION
ONE	1,390 *
TWO	1,620 *
THREE	11,692 *
FOUR	3,650 *
FIVE	4,058 *
SUBTOTAL	22,410 *
SIX (Balance of Kawana Waters Locality)	26,090
TOTAL	48,500

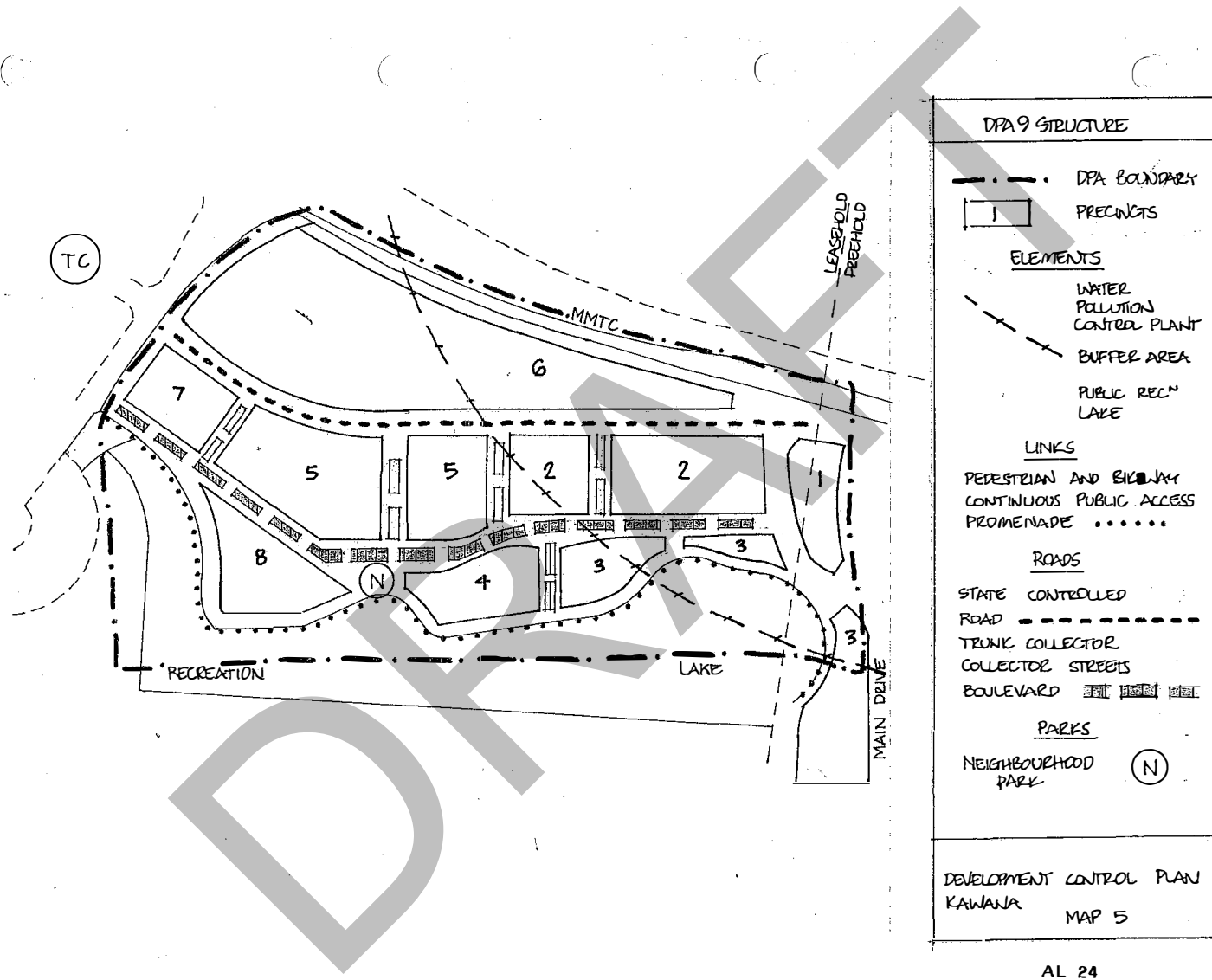
*The population in each of Precincts One/Five *may* be exceeded by 10% but the total population for Precincts One/Five of 22,410 is not to be exceeded.

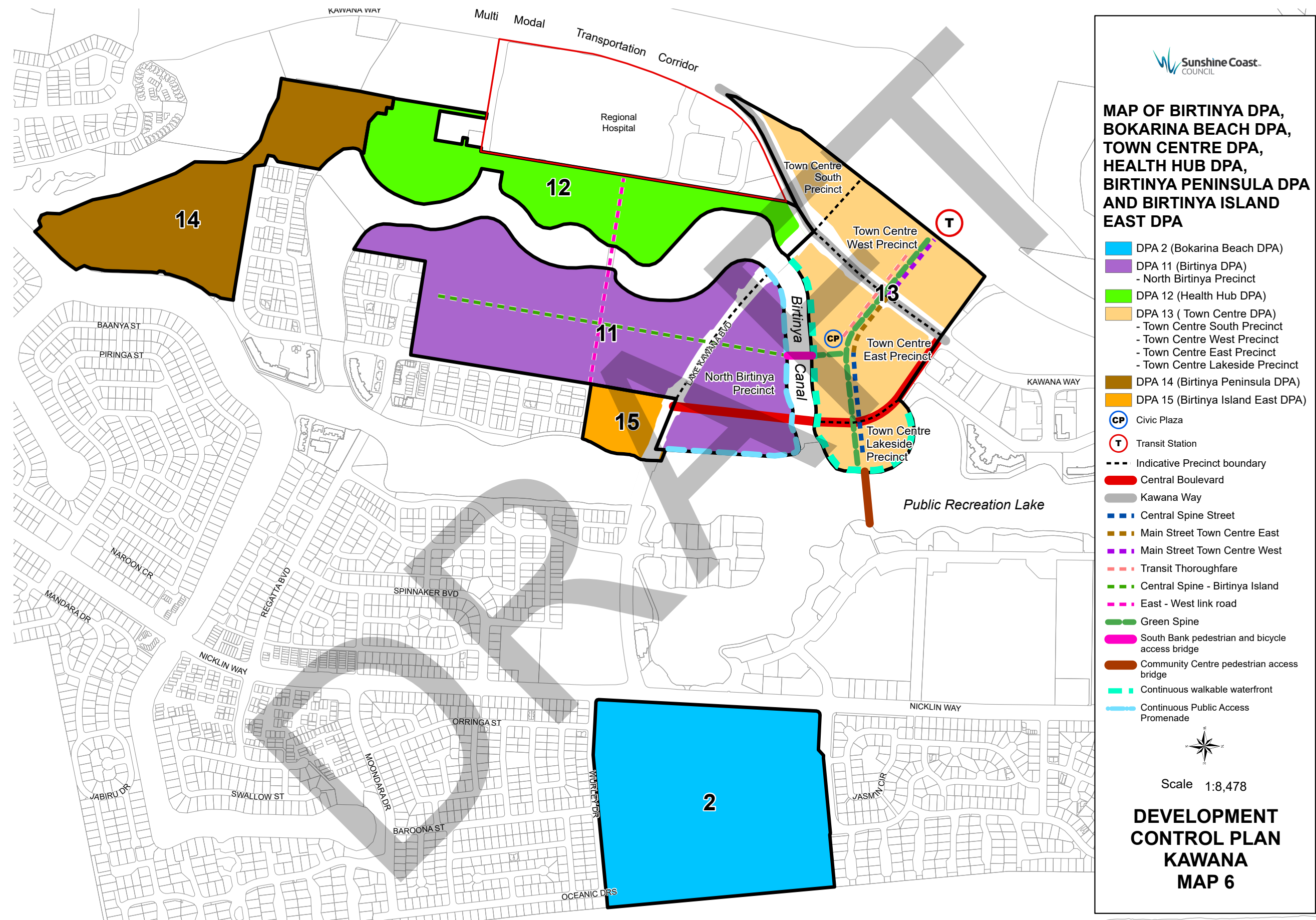


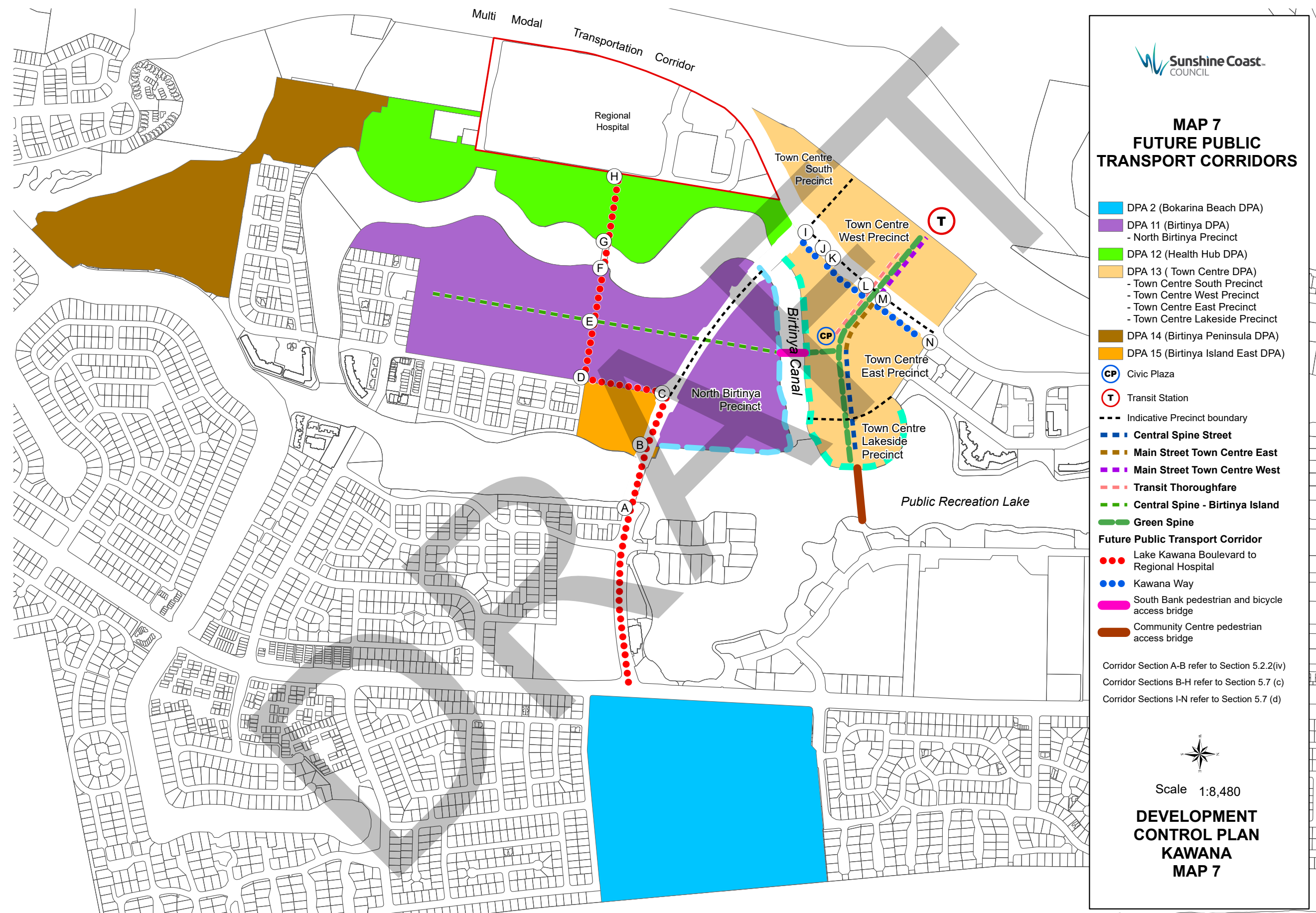
DEVELOPMENT
 CONTROL
 PLAN

 KAWANA

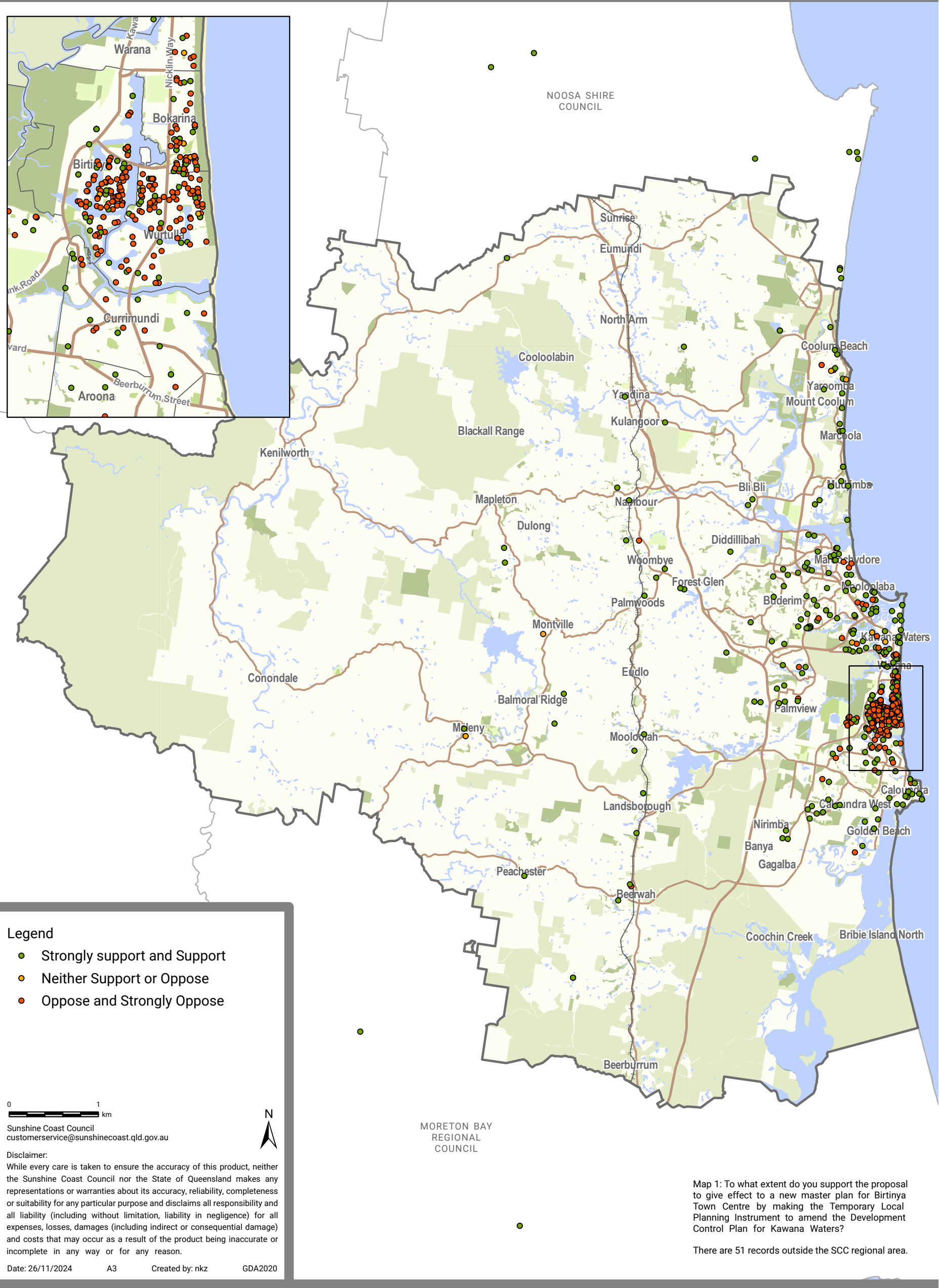
 MAP 4





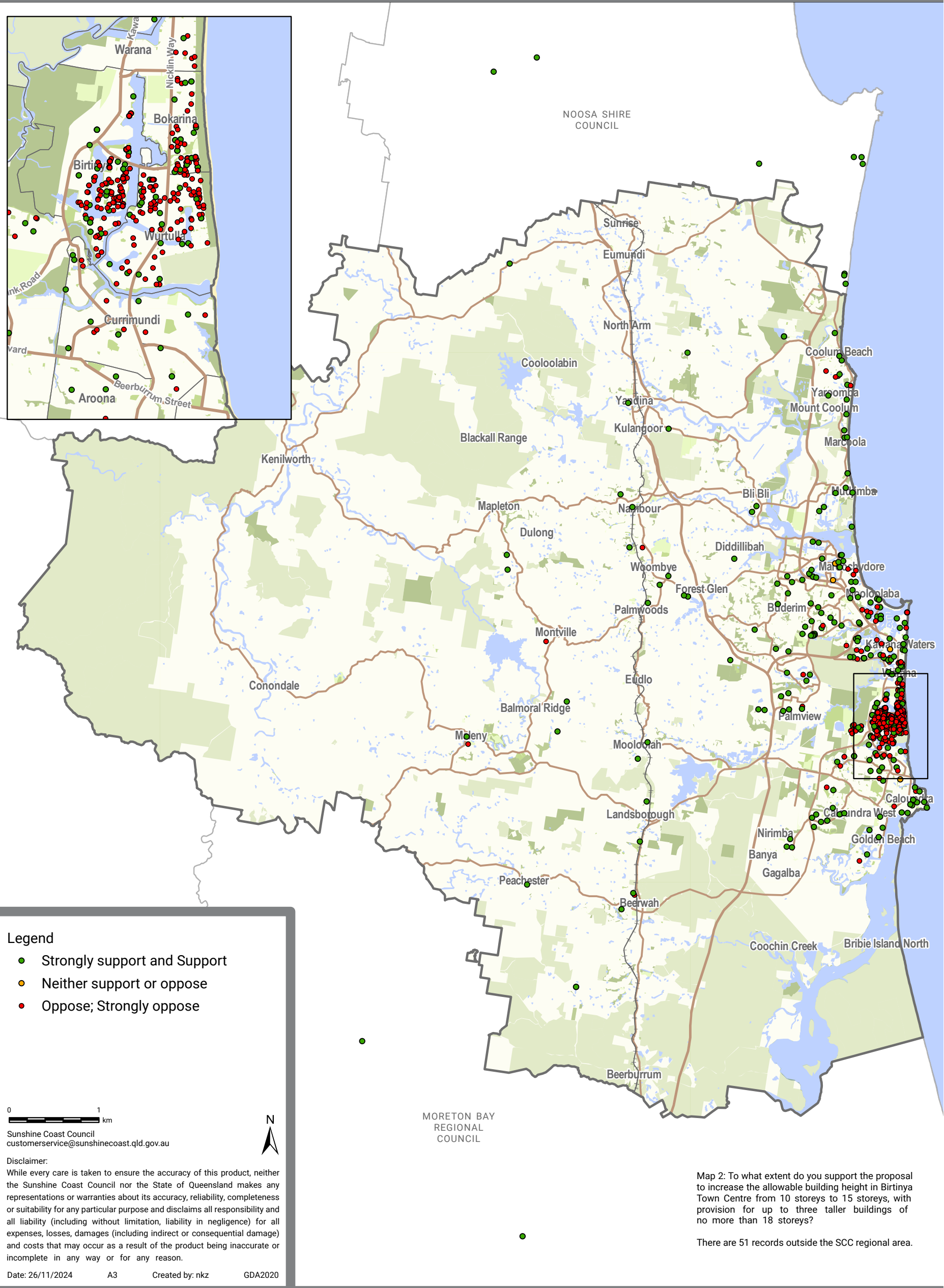


Submissions Feedback – TLPI to amend the DCP



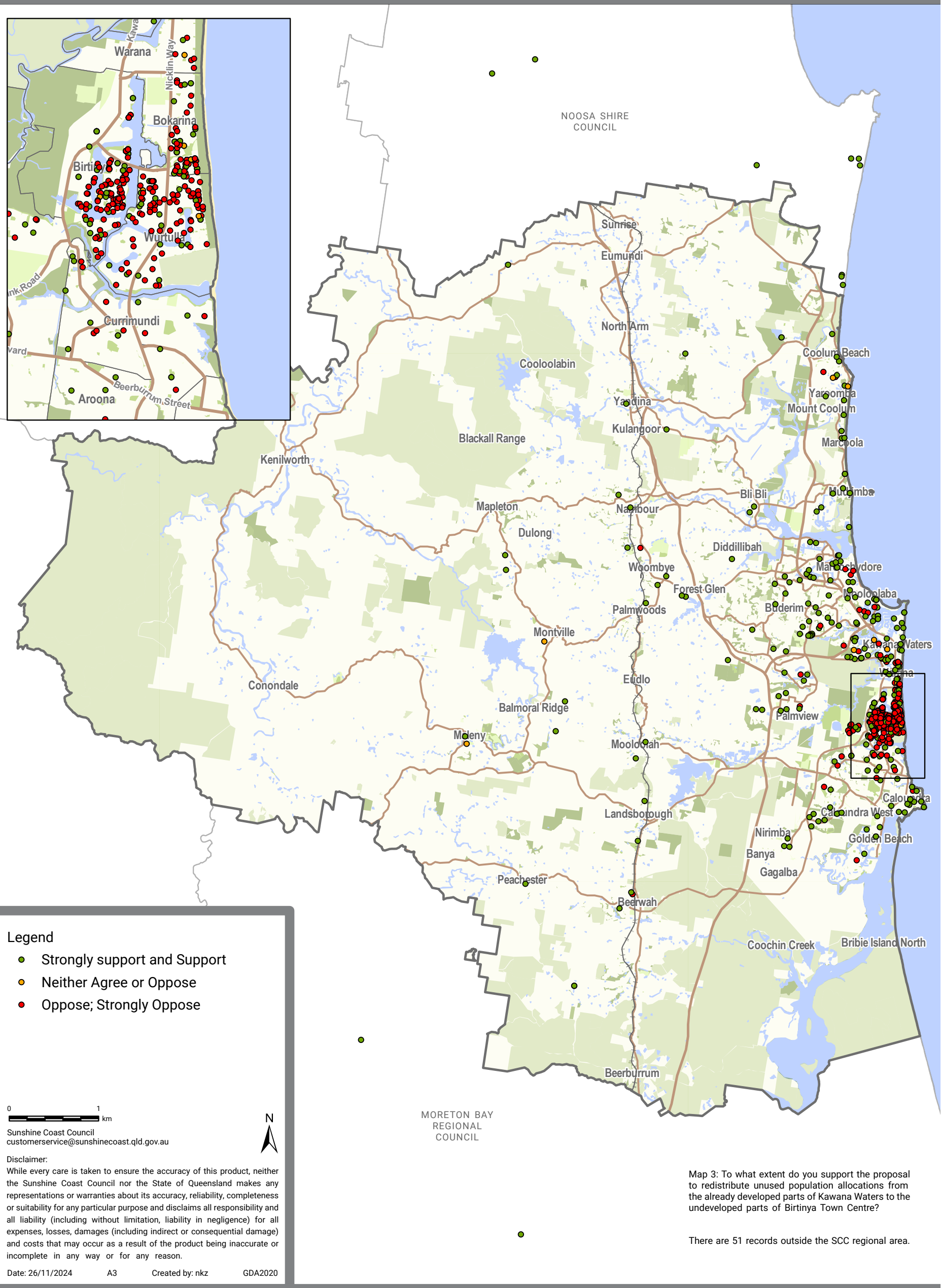


Submissions Feedback – Increase in building height





Submissions Feedback – Redistribution of population allocation





**Proposed Temporary Local Planning Instrument
(Birtinya Town Centre)
Consultation Report**



Total no. of responses: 758

No. of responses supporting/strongly supporting the proposed TLPI to amend the DCP: 366 (49%)

No. of responses opposed/strongly opposed the proposed increase in building height: 393 (52%)

No. of responses supporting/strongly supporting the proposed redistribution of population: 355 (47%)

Key issues raised:

- Increased building height
- Affordable housing
- Population allocation
- Use of a TLPI
- Community benefits
- Car parking
- Traffic congestion
- Transport infrastructure

INTRODUCTION

The proposed *Temporary Local Planning Instrument (TLPI)* was placed on informal (non-statutory) community consultation for 20 business days from 16 October to 12 November 2024.

The advertised version of the proposed TLPI sought to:

- Allow the maximum building height across the town centre to be increased from 10 storeys to 15 storeys, and up to three taller buildings of no more than 18 storeys
- Require new residential developments to contribute to the supply of housing diversity and affordability
- Shift unutilised population quotas from the already fully developed Development Control Plan (DCP) precincts to the Birtinya precinct, so the total population allowed under the Kawana Waters DCP will remain unchanged
- Allow for the development of hotel accommodation at Eastbank – next to Sportsman's Parade – to capitalise on the region's tourism

needs now, and as we prepared to co-host the Brisbane 2032 Olympic and Paralympic Games

- Allow the building height on two sites in North Birtinya to increase from 8 storeys to 10 storeys

Part A of this Report provides:

- an overview of the community consultation process undertaken; and
- an overview of the feedback received, and key themes/issues raised during the community consultation process.

Part B of this Report considers the key themes/issues raised and outlines Council's response to the key economic and planning issues.

Part C of this Report considers the request received seeking an additional site to be included in the proposed TLPI.

PART A

OVERVIEW OF COMMUNITY CONSULTATION PROCESS

The proposed TLPI was placed on informal community consultation from 16 October to 12 November 2024.

The consultation and communication strategy implemented during the community consultation period included:

- 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;
- dedicated webpage on Council's 'Have Your Say', including a copy of the proposed Temporary Local Planning Instrument, fact sheets, maps and online Feedback Form;
- social media posts including Facebook and LinkedIn;
- two pop-up sessions held at Birtinya Shopping on the following days:

- Pop-up session 1: 10am to 12pm, Saturday 26th October 2024; and,
- Pop-up session 2: 3pm to 5pm, Thursday 7th November 2024;
- briefings to key stakeholder groups, including Birtinya Residents Action Group (BRAG), Kawana Chamber of Commerce, Organisation Sunshine Coast Association of Residents (OSCAR) who represents a number of community groups, namely Beach Matters, Friends of Buddina, Blackall Range Land Use Planning Association (BRLUPA), and Development Watch. In addition, Queensland Health, Caloundra Chamber of Commerce and the Urban Development Institute of Australia (UDIA) Queensland; along with State bodies including the Department of State Development, Manufacturing, Infrastructure and Planning, the Department of Transport and Main Roads and the Department of Resources;
- briefings to key planning consultants include; Adams + Sparks Town Planning and Project Urban; and
- response to all inbound telephone and email enquiries.

OVERVIEW OF FEEDBACK

During the community consultation period, Council received a total of 758 responses, with 753 responses received through Council's Have Your Say website or via printed versions of the online form.

206 respondents were aged over 59 making up 27.4% of the total respondents. 132 respondents were aged below 35 making up 17.5% of the total respondents,

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

Question 1: TLPI to amend the DCP

- 306 responses (40%) strongly supported the use of a TLPI to amend the DCP.
- 60 responses (8%) supported the use of a TLPI to amend the DCP.
- 20 responses (3%) neither supported nor opposed the use of a TLPI to amend the DCP
- 49 responses (6%) opposed the use of a TLPI to amend the DCP.
- 318 responses (42%) strongly opposed the use of a TLPI to amend the DCP.

Age demographics for Question 1:

- 77% of respondents aged over 59 opposed or strongly opposed this question.
- 55% of respondents aged between 35-59 supported or strongly supported this question.
- 79% of respondents aged below 35 supported or strongly supported this question.

Question 2: Increase in building height

- 293 responses (39%) strongly supported the increase in building height.
- 59 responses (8%) supported the increase in building height.
- 8 responses (1%) neither supported nor opposed the increase in building height.
- 21 responses (3%) opposed the increase in building height.
- 372 responses (49%) strongly opposed the increase in height.

Age demographic for Question 2:

- 84% of respondents aged over 59 opposed or strongly opposed this question.
- 53% of respondents aged between 35-59 supported or strongly supported this question.
- 76% of respondents aged under 35 supported or strongly supported this question.

Question 3: Redistribution of population allocation

- 272 responses (36%) strongly supported the redistribution of population allocation.
- 83 responses (11%) supported the redistribution of population allocation.
- 58 responses (8%) neither supported nor opposed the redistribution of population allocation
- 83 responses (11%) opposed the redistribution of population allocation.
- 257 responses (34%) strongly opposed the redistribution of population allocation.

Age demographic for Question 3:

- 68% of respondents aged over 59 opposed or strongly opposed this question.
- 52% of respondents aged between 35-59 supported or strongly supported this question.

- 74% of respondents aged below 35 supported or strongly supported this question.

Council also received 5 responses outside of the Have Your Say website, which are not included in the above breakdown. Of the 5 responses received, 4 indicated support while 1 opposed the TLPI.

Overall, the feedback received, whether in support or opposition to the proposed TLPI, recognised the housing crisis and the need to provide additional housing on the Sunshine Coast generally, with development contributing to housing diversity and affordability.

Most of the feedback received in opposition to the proposed increase in building height felt that the TLPI went too far with regards to the 18 storeys, which would significantly impact upon the existing character and amenity of Birtinya. Conversely, some of the feedback received in support, particularly from representatives of the development industry, felt that the proposed TLPI did not go far enough and further additional height and density should be considered.

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.

As depicted on the maps, the majority of the opposing feedback received came from the Birtinya locality and a much of the supporting feedback received came from outside of the local area. 216 respondents were from Birtinya, which represents 4.93% of the 2021 population of Birtinya.

PART B

SUMMARY OF KEY THEMES RAISED DURING COMMUNITY CONSULTATION

This section of the report provides a summary of the key themes raised by respondents during the community consultation period.

Key themes in support of the TLPI

The top 7 key themes in support of the proposed TLPI include:

- *Increased building height* – respondents supported the increase in building height in

Birtinya Town Centre, noting the proximity to public transport and existing retail and commercial areas. In addition, the increase in building height would assist in preventing further urban sprawl, which would protect the Sunshine Coast ecosystem.

- *Affordable housing* – respondents recognised the need to provide housing choice, noting that the current master plan does not have any housing diversity or affordability provisions.
- *Population allocation* – respondents supported the redistribution of population allocation to the town centre to align with the growing needs of the community.
- *Transport infrastructure* – respondents outlined that the proposal would be supported by major public transport projects being the passenger rail and bus rapid transport.
- *Community benefits* – respondents supported the proposed TLPI as it would result in an increase in open space compared to the current master plan.
- *Economic benefits* – respondents recognised that the Birtinya Town Centre would provide a mixture of commercial and residential opportunities, which would increase employment opportunities and allow people to live and work in the town centre.
- *Increased investment* – respondents supported the proposed TLPI to allow for a hotel on Eastbank.

The support outlined for the proposed TLPI is acknowledged and noted.

Some respondents in support of the proposed TLPI also requested that the TLPI be extended to include a specific reference supporting 15-storey buildings outside the town centre (refer Consideration of key issues and responses in **Part B** and **Part C**).

Key themes in opposition to the TLPI

The top 7 key themes in opposition to the proposed TLPI include:

- *Increased building height* – respondents raised concern about the additional building height allowance, in particular the proposed three buildings at up to 18 storeys and the impact on character and amenity, with some respondents fearing overdevelopment and “becoming the Gold Coast”, in terms of high rise development.

- *Affordable housing* – respondents were concerned about the potential for public/social housing to occur within the town centre, which could raise the rate of crime and anti-social behaviour, and impact upon property prices.
- *Population allocation* – respondents raised concern about the increase in population within the town centre, which would increase crime and traffic, and decrease property values, result in the beaches becoming more crowded and impact on school and sewer capacity.
- *Parking issues* – respondents raised concerns about the potential for reduced on-site parking requirements within the town centre, fearing that it would exacerbate existing parking problems within Birtinya.
- *Traffic* – respondents were concerned about the current lack of public transport and that public transport is needed to be provided before any increase in height and density to avoid the increased in traffic congestion.
- *Conflict with current master plan approval* – respondents raised concerns that increasing the building height, above what has already been approved, would alter the character of the precinct.
- *Community consultation* – respondents felt that there had been insufficient community consultation on the proposal. However, other respondents have raised concerns that undertaking community consultation for a TLPI goes against the intent of the instrument.

CONSIDERATION OF KEY ISSUES AND RESPONSES

This section of the report provides a summary of the key planning issues identified in the feedback received and outlines Council officers' response to these issues.

The key planning issues are as follows:

Increase in building height

Some respondents expressed opposition to the proposed increase in building height from 10 storeys to 15 storeys with three buildings at up to 18 storeys on the basis that it would:

- result in development that is substantially different to what was approved as part of the

current master plan and is therefore inconsistent with community expectations;

- result in high rise development, with a fear of overdevelopment and "becoming the Gold Coast";
- produce overshadowing on existing residential buildings;
- result in development that is inconsistent with local character and impact the amenity of existing residents;
- be inconsistent with the hierarchy of centres, as the proposed increase in height would exceed the heights across all other Centre zones in the region; and
- conflict with the current master plan approval.

Some respondents indicated support for the proposed TLPI if it was modified to provide an overall building height of 15 storeys (subject to conditions) with the removal of the allowance for three buildings of up to 18 storeys.

Some respondents in support of the proposed TLPI indicated the height allowance of 15 storeys with three buildings of up to 18 storeys is not sufficient and that the TLPI needed to provide greater height allowances.

Some respondents in support also requested that the proposed TLPI be amended to include a specific reference supporting 15 storeys to occur outside the town centre.

Response

The community feedback revealed that a majority of respondents (52%) were opposed to the proposed change in maximum building height, and the written and verbal feedback received indicated particular concern about the three proposed 18-storey buildings. It is therefore recommended that the allowance for three buildings up to 18storeys in height does not proceed, and the maximum building height for the town centre be limited to 15 storeys under the proposed TLPI.

Given that the allowance for a limited number of taller buildings was driven to a significant degree by the objective of achieving a varied and articulated built form across the town centre, it is now proposed to achieve this by introducing a requirement for no less than six buildings on six sites in the town centre to be limited to no more than 12 stories in height.

The 15-storey maximum building height in Birtinya Town Centre would be consistent with the building heights set down in the centres hierarchy of the Sunshine Coast Planning Scheme. 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.

The increase in building height is also necessary to enable the delivery of the proposed 60% increase in the amount of open space when compared to the existing master plan. It is noted that the Precinct Park adjacent to the Cable Stay Bridge would increase in size as a result of the proposed changes and still contain a minimum 1,000m² informal play/running space.

The nearest residences to the Birtinya Town Centre are located 100 metres away across a stretch of water and are located in a high rise building. The nearest detached dwellings are located on Entrance Island, some 250 metres from the town centre, and Birtinya Island, nearly 400 metres away. None of these locations present the opportunity for the type of immediate interface or interaction that would affect the amenity of residents either in the town centre or elsewhere.

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. Furthermore, 15-storey buildings in the town centre would not be visible from the beach.

A number of concerns were raised regarding the Sunshine Coast "becoming the Gold Coast" which may be prompted by a desire to avoid the type of high rise development that has occurred over time on the Gold Coast in locations such as Main Beach, Surfers Paradise, Broadbeach and Burleigh Heads.

Notably, high rise development in these locations on the Gold Coast has occurred in a relatively unconstrained linear fashion with a number of prominent buildings (of 40 storeys and more) appearing along a lengthy stretch of the coastline, typically quite close to the beachfront.

By comparison, the approach to providing for high rise on the Sunshine Coast focusses on establishing nodes

around activity centres which (like the subject area) are of modest height and predominately located to minimise the extent to which buildings are visible from, or cast shadows over the beach.

In relation to the feedback requesting the inclusion in the DCP of statements about a site located outside of the Birtinya Town Centre, refer to Part C of this report.

Recommendation:

Proceed with building height provisions in the proposed TLPI that:

- **Provide for a maximum building height of 15 stories in the town centre**
- **Remove the allowance for there to be up to three buildings with a height of no more than 18 storeys.**
- **Include a requirement for at least 6 buildings on 6 sites to not exceed a height of 12 storeys.**

Population allocation

Some respondents raised concern about the increase in population within the town centre on the basis that:

- Density leads to increased crime and violence
- Increased population will increase congestion
- Property values would decrease
- The beaches would become more crowded
- There would be impacts on school and sewer capacity.

Some respondents supported the redistribution of population allocation to the town centre to align with the growing needs of the community.

Response

The proposed TLPI seeks to reallocate unused population quotas from completed parts of the Kawana Waters master planned area, namely Kawana Island, Kawana Forest and Creekside, to the Birtinya Town Centre. This will allow the Kawana Waters master planned area to come closer to reaching its original intended population. It will also assist Council in responding to the current housing crisis, and State government-imposed growth targets, by consolidating population growth in a well serviced

town centre, with good access to employment, transport and recreation opportunities.

Kawana Island, Kawana Forest and Creekside precincts are complete or almost complete from a planning, development and construction perspective. Accordingly, there is very limited prospect of delivering additional housing in those precincts.

Map 4 of the DCP sets out population thresholds for the five precincts that comprise the DCP area. The proposal seeks to amend Map 4 of the DCP by reallocating a total of 2,667 persons to Precinct 3 from Precincts 1, 2 and 5, each of which are now fully developed, but have not fully utilised the population allocation set out in the DCP. Precinct 3 covers all of Birtinya, which is substantially developed, except for the town centre.

This redistribution would not result in any increase to the overall maximum population of the Kawana Waters area. It proposes instead to redirect the unused population allocations from the fully developed parts of the Kawana Waters area to the Birtinya Town Centre site, where there is the capacity to accommodate the additional residential development.

The redistribution of the unused population allocations will capitalise on the well-located and fully serviced nature of the town centre.

It will also enhance the case for delivering and, in due course, take advantage of, various State transport infrastructure projects, such as the Direct Sunshine Coast Rail line, the Sunshine Coast Public Transport (Bus Rapid Transit) project, the Kawana Motorway and the Mooloolah River Interchange.

By accommodating the increased population allocation in taller buildings, the amount of open space in the town centre will be approximately 60 per cent greater compared to the current masterplan.

The proposed layout of the open space network will provide a distinctive green spine through the heart of the town centre. It will have a strengthened focus on active transport infrastructure and access to the lakefront precinct park that is located adjacent to the cable stay pedestrian bridge (connecting the foreshore adjacent to Venue 114 to the town centre).

The proposal also includes more opportunities for interaction with the water around the edges of the lake.

The population density of the town centre, if developed to its proposed maximum allowance, would be approximately 100 dwellings per hectare (up to 2,600 dwellings on the 26-hectare site). The State Government's *Shaping SEQ* regional plan identifies Birtinya town centre as a 'major regional activity centre' and specifies a target population density of between 40 and 200 dwellings per hectare. The proposed population density in the town centre is therefore within the State government's nominated population density range.

With regards to the feedback received suggesting that increased density leads to increase crime and violence, Council is unaware of any data that supports this claim and in fact, it is understood that higher-density areas generally benefit from improved casual surveillance, greater intensity of activity and more effective community programs that combine to produce a greater deterrent to criminal activity.

The Birtinya Town Centre was always intended to be a Major Regional Activity Centre, and the proposal remains consistent with densities anticipated for this designation.

Council has undertaken traffic modelling to support the proposal, confirming that the existing planned network can accommodate the proposed density increase.

With regards to impacts on capacity in relation to schools and the sewer network, quarterly meetings with the State Government occur in relation to managing school capacities across the region. In relation to sewer network and capacity concerns, initial investigations have been undertaken by the master developer, in consultation with Unitywater, indicating that the potential population growth in the town centre would not impact upon the capacity of the sewer network.

Increasing population density in the Town Centre provides many benefits, including supporting the use of active transport (more homes with walkability to employment, services and public transport), underpinning the viability of local businesses and community activities and providing the basis for

greater investment in the provision by the State of enhanced public transport services.

Recommendation: No change to the proposed TLPI in response to this issue.

Housing affordability

Some respondents were concerned about the potential for public/social housing to occur in the town centre, which could raise the rate of crime and impact upon property values.

Some respondents supported the inclusion of provisions relating to housing affordability and diversity, recognising the need to provide housing choice, noting that the current master plan does not have any housing diversity or affordability provisions.

Response

The Sunshine Coast is in the midst of a housing crisis, with rents and house prices beyond the reach of an increasing proportion of the community. The current master plan for Birtinya Town Centre allows up to 1,333 dwellings with no requirement for any of them to be affordable. Under the proposed TLPI, which would enable additional dwellings in the town centre, it is proposed that a minimum 20% of the additional dwellings would be required to be affordable.

The proposed increase in the residential component of the town centre provides an opportunity to secure the delivery of affordable housing outcomes.

The intent of including the housing diversity and affordability statement in the DCP is to ensure that Birtinya Town Centre offers greater housing diversity, affordability, and opportunities for people to secure accommodation that satisfies their needs and financial circumstances.

The term 'housing affordability' relates to the ability of residents to be able to afford the cost of housing, whether through ownership or the rental market. As a general rule of thumb, housing is considered affordable when low-to moderate income households direct no more than 30 per cent of their income towards the cost of housing (in the form of rent or mortgage repayments).

Affordable living is more than the financial cost of housing. It includes the way in which we live, the size

and type of housing we choose, the resources we use and how we move around.

Diversity of affordable living options provides a mix of dwelling types that meet the different needs of a wide range of people in our community.

Diversity enables neighbourhoods to provide for changing household formation and means that people can move between various types of housing within their community as their needs, situation or aspirations change. It also helps address housing affordability issues and it provides for different lifestyle choices and life stages.

Access to affordable living options for all household types and income levels contributes to our liveability. These affordable living opportunities should be located in self-contained neighbourhoods with convenient access to active and/or public transport, to employment and supporting services and facilities.

It is proposed to amend the DCP to include the following statement – *"Provision for residential forms of Development which contribute to the supply of housing diversity and affordability"*. Should Council resolve to amend the DCP to include the above statement, it is intended that the delivery of housing diversity and affordability in Birtinya Town Centre will be secured through subsequent master planning processes.

Two options are proposed for meeting the affordability requirement. One is for the dwellings to meet the definition of Affordable Housing under the *Planning Act 2016*, which means rents and mortgage repayments must be no more than 30% of the median income for the region. This option would most likely be in the form of housing that is subsidised by a community housing provider (CHP). The second option is via "diversity through design". This means that in order to qualify for the 20% affordable housing requirement, development would need to provide a mix of one, two and three bedroom units, with a proportion of them being below 75m². In mandating some smaller dwelling units, which developers might otherwise not wish to provide, this will ensure some more affordable housing options are delivered. By ensuring diversity of product is delivered, the planning controls then create diversity of price point which ensures key workers have opportunity to participate in

the housing market in locations that are well located and highly serviced.

The 20% affordable housing requirement would only apply to the additional dwellings in the Town Centre as a result of the proposed TLPI, and therefore would make up a small proportion of the overall housing mix in the town centre (likely to be less than 10%). There is no requirement for public or social housing, as the target could be met via diversity through design. However, it is possible these outcomes could materialise should Community Housing Providers seek to enter the market at this location. It is unlikely the affordable housing would be provided on the lakefront, as these sites are most likely to be developed for premium housing products.

Overall, it is intended for there to be a wide range of housing types and price points, ensuring the town centre caters to all sections of the community including those on low to medium incomes. While the majority of dwellings are still likely to attract a premium price point, there is an intention to introduce planning controls that require the provision of a mix of housing types and price point options.

Recommendation: No change to the proposed TLPI in response to this issue.

Use of a TLPI

Some respondents did not support the use of a TLPI as a mechanism for changing the planning scheme, noting the temporary nature of a TLPI and particularly considering the proposed increase in building height.

Some respondents in support of the proposed TLPI noted that this process aligns with the growing needs of the community and offers a much-needed solution to the housing crisis on the Sunshine Coast.

Response

The mechanisms available to Council, under the *Planning Act 2016*, to respond to emerging or urgent planning matters is through a planning scheme amendment or a TLPI. TLPIs are typically used to address urgent or emergent planning issues that require immediate intervention. Although TLPI's are not used frequently there are several circumstances where this (and other) Councils have employed a TLPI in the past.

A planning scheme amendment, that is not of a minor or administrative nature, would typically take longer to implement, when compared to a TLPI. Council is also in the early stages of the plan making process for preparing a new planning scheme, with the first state interest review process, formal community consultation and final state interest review process yet to be completed. Therefore, Council's preference is to utilise accelerated statutory processes to respond to identified planning and housing issues.

In recognition of the need to deliver increased housing supply, in a well serviced location, the urgency of the issue and the significant barriers associated with this type of proposal, it is prudent that Council implements planning initiatives to respond to the housing crisis and capitalise on the opportunities presented by the forthcoming investment into the Kawana Sports Precinct in the lead up to the Brisbane 2032 Olympic and Paralympic Games.

Having regard to the timing associated with undertaking a planning scheme amendment as well as the uncertainty around the timing of a new planning scheme and the preference to utilise accelerated statutory processes to respond to identified planning and housing issues, the preparation of a TLPI is considered an appropriate mechanism to employ.

Recommendation: No change to the proposed TLPI in response to this issue.

Community Consultation

Some respondents expressed concern with the community consultation material mainly focusing on the proposed amendments to the Birtinya Town Centre, and not clearly identifying that the proposed TLPI also involves amendments outside of the Birtinya Town Centre being the proposed motel at Eastbank and height changes at North Birtinya.

Some respondents expressed concerns with references made to "light rail" and "rapid transit system" in the DCP document and requested that these references be removed as they are not currently approved or funded by either the Federal or State Government.

Some respondents questioned the need for community consultation for a TLPI as it goes against the intent of the instrument and questioned how

Council intends to determine whether future TLPIs will require community consultation.

Some respondents acknowledged the opportunity that Council has provided to seek feedback from the community on the proposed TLPI, however did express concern that the timeframe to provide feedback needed to be extended.

Response

The proposed TLPI has an intentionally narrow focus, primarily applying only to the Birtinya Town Centre with minor amendments relating to locations other than the town centre, which reflect the results of negotiated outcomes between Council and the master developer.

Under the proposed TLPI, Council would gain the ability to facilitate a hotel development on the site it owns opposite the Kawana Aquatic centre, should the opportunity arise. This site already has development potential (but not for a hotel) and is not intended to be set aside for open space.

It is acknowledged that the DCP contains historical references to "light rail", "rapid transport infrastructure" and "rapid transport system" in Section 4.10.2 (n) (v) (H) relating to the development of the Town Centre West Precinct and Section 4.10.2 (p) (iii) relating to land dedication within Detailed Planning Area 15 (DPA 15) - Birtinya Island East. This terminology has been used in the DCP document since 2012 and aligns with the current State Government Sunshine Coast Public Transport project, though the name and mode of transport for the project has changed over time.

The Sunshine Coast Public Transport project and the Direct Sunshine Coast Rail project are both identified in the State Government's *Southern Sunshine Coast Public Transport Strategy*. The Sunshine Coast Public Transport is only funded for a business case development. The Direct Sunshine Coast rail line has a funding commitment for delivery from Beerwah to Caloundra and for investigating the connection to Birtinya but not yet providing the funding for its delivery.

Therefore, it is considered appropriate to retain references to these projects in the DCP. However, it is agreed that superseded terms like 'light rail' and 'mass

rapid transit' should be replaced by the current name of the project, being Sunshine Coast Public Transport.

In relation to how Council intends to determine whether future TLPIs will require community consultation, Council will determine whether community consultation is appropriate on a case-by-case basis, having regard to the following:

- the nature and breadth of matters being dealt with by the TLPI;
- the importance / urgency of the planning intervention proposed;
- impacts on human rights; and
- whether on the balance of the above considerations, Council considers it appropriate and in the public interest for community consultation to occur.

Recommendation: Include a statement in the purpose of the TLPI that makes reference to the proposed motel at Eastbank,

Amend Section 4.10.2 (n) (v) (H) and Section 4.10.2 (p) (iii) of the DCP to remove the reference to "rapid transit system" and "light rail or rapid transport infrastructure" and replace those references with the term "Sunshine Coast Public Transport project".

Car parking and Traffic congestion

Some respondents raised concerns about the potential for reduced on-site parking requirements in the town centre, fearing that it would create parking problems throughout Birtinya.

Some respondents raised concern about the proposed increases in height and population to the town centre on the basis that this would increase traffic congestion.

Some respondents also raised concern about traffic and public transport more generally and impacts upon planned transport networks.

Response

Traffic modelling confirms the existing regional transport network, together with planned road and public transport upgrades, has capacity to service the proposed increase in residential development in Birtinya Town Centre.

The existing Detailed Planning Area Plan (DPAP) for the town centre contains minimum and maximum car

parking rates for residential and commercial uses. These rates are not proposed to be changed as part of the TLPI, which Council is currently seeking public comments on. However, an increase to these rates is under active consideration. Any change to these rates would form part of the subsequent amendment to the town centre DPAP, if the TLPI is adopted.

Increasing residential development within walking distance of planned significant public transport infrastructure and employment opportunities like the nearby hospital has proven, through observation surveys, to reduce dependency of travel generally. Also, having opportunities for transport efficient residential development like Birtinya Town Centre reduces the number of people living in areas more remote from employment opportunities that typically have no other options than to drive cars. This is particularly so during the current housing crisis. Transport efficient residential development results in less cars and less congestions on the Sunshine Coast's regional road system.

The proposed TLPI does not seek to change the current approved master plan in relation to additional commercial or retail gross floor area in the town centre. Further, there is no net increase in residential development across Kawana Waters, as a whole, as the proposed TLPI seeks to redistribute unused population allocations to capitalise on the well-located and fully serviced nature of the town centre.

With regard to the impacts on planned regional transport networks, the proposed TLPI is not projected to generate additional car trips on the regional transport system given there is no net increase to the total residential population forecast as it relates to Kawana Waters. The previously planned network upgrades including the Mooloolah River Interchange and the Kawana Motorway are sufficient to service projected transport demands from both Birtinya and elsewhere within the region.

Recommendation: No change to the proposed TLPI in response to this issue.

Transport infrastructure

Some respondents opposed the proposed TLPI on the basis that transport infrastructure should be required before development and that there is a lack of public transport and the current public transport would not cope with the increase in population to this area.

Some respondents acknowledged the location of the town centre and its ability to have access to multiple modes of public transport and it would enable the opportunity to implement best practice transport planning.

Some respondents expressed support for the proposed TLPI as it may bolster the case for the heavy rail to be delivered faster.

Response

There are three significant State transport infrastructure projects planned for Birtinya:

- Direct Sunshine Coast Rail (passenger rail linking Maroochydore to the existing north-coast rail line at Beerwah, with stops at Mountain Creek, Birtinya, Aroona, Caloundra and Bells Creek).
- Sunshine Coast Public Transport (bus rapid transport, ultimately linking Maroochydore to Caloundra, with the first stage linking Maroochydore to Sunshine Coast University Hospital)
- Kawana Motorway (a new motorway connection between Parrearra - the planned Mooloolah River Interchange at Kawana Way - and Meridan Plains connecting to Kawana Way Link Road)

The three projects are at various stages of planning and funding commitment.

Direct Sunshine Coast Rail is fully funded between Beerwah and Caloundra, with detailed design work also underway between Caloundra and Birtinya should additional funding be secured for this section. The newly elected State government has promised to deliver the full project from Beerwah to Maroochydore prior to 2032, which would include the station at Birtinya.

The Sunshine Coast Public Transport project is currently subject to a detailed business case being prepared by the Department of Transport and Main Roads. Work to complete the detailed business case is continuing, including technical investigations, refinements to the design of the bus rapid transit corridor, confirmation of station locations and investigations of active transport opportunities.

For Kawana Motorway, detailed planning, design and construction of the project will be subject to future funding availability in the context of competing statewide priorities.

The proposed additional residential development in Birtinya Town Centre will improve the business cases for all three projects and assist in bringing forward their delivery. The way infrastructure is funded in Queensland requires the demand to be clearly established before the project will be prioritised by the State and Commonwealth Governments.

It will take at least 15 to 20 years for all the proposed development in the town centre to be delivered. It is anticipated that the three state transport projects will be progressively built over this time frame.

While all parties would welcome funding commitment, it's unrealistic and economically unviable to expect delivery in advance of the population it is intended to support.

Both Council and DTMR have acknowledged that increased density should assist with garnering support for transport infrastructure projects requiring State and Commonwealth Government funding. Council can also seek funding for Kawana Motorway as part of the new State government's \$2B fund for catalytic infrastructure which will unlock housing supply.

The development of Birtinya Town Centre will involve the progressive delivery of key infrastructure items, including completion of the local road network, large expanses of open space and parkland, and finalisation of the walkable waterfront surrounding Lake Kawana.

Stockland has also invested heavily in surrounding and enabling infrastructure (including the existing road and active transport network, Lake Kawana, dedication of community facilities sites, the two pedestrian bridges under construction and the future walkable waterfront) in advance of activating the Town Centre.

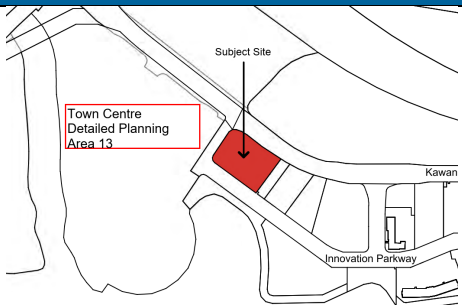
The State government will have the opportunity to assess the impact of the proposed TLPI on State interests as part of the State approval process for the proposed TLPI. However, it considered that the making of the TLPI would not adversely affect State interests.

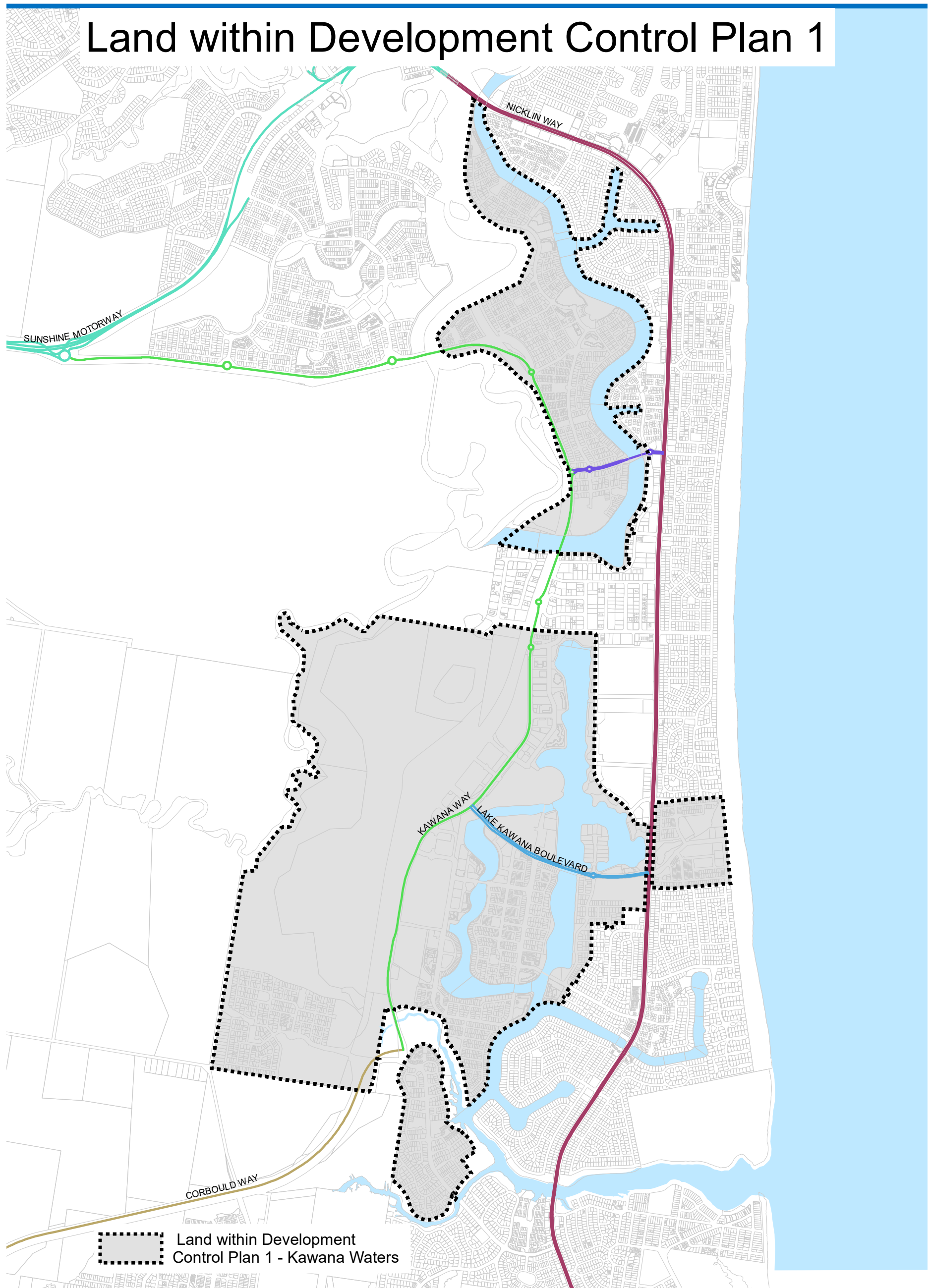
A representation was received requesting additional sites be included in the proposed TLPI, which are considered in **Table 1** over.

PART C

ADDITIONAL SITE REQUEST

Table 1: Additional Site Request

Site details	Site location	Master Plan	Comments
<p>1-4 Cardinal Pl, Birtinya Lot 1-4 SP295692 Total land area: 8,1190m²</p>		<p>Master Plan No. 5 (Detailed Planning Area Plan – Business Village) 2019, and Master Plan No. 98 (Site Development Plan – Business Village – Precinct 7) 2016.</p> <p>The DCP does not reference a maximum building height for DPA 9, which the subject site is located in. The lower order DPAP and SDP outline an 8 storeys maximum building height, which the current development approval meets.</p>	<ul style="list-style-type: none"> Privately owned. Site located on the periphery of the Birtinya Town Centre within the Business Village (Detailed Planning Area 9) Currently approved for 243 units within an 8-storey building It is not intended to expend the town centre height limit (15 storeys) beyond the boundaries of the town centre. The master developer controls the yields in the master plan area because they are responsible for providing the infrastructure to support the yields. <p>Recommendation: No change to the proposed TLPI in response to this request. Future use of the site to be considered by the master developer (Stockland) as part of any future master amendment process while respecting building height hierarchy across the adjacent precincts</p>





















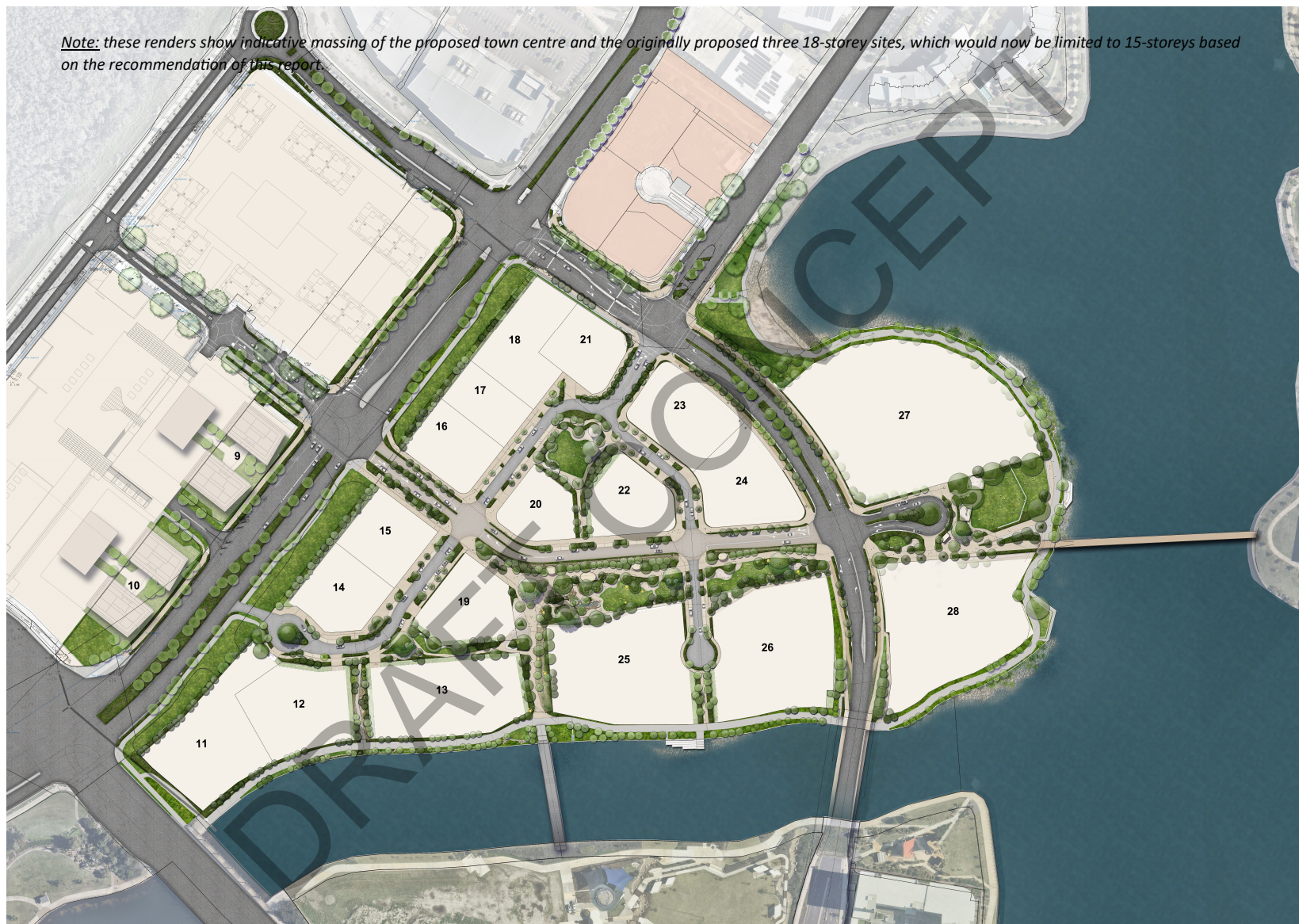


Attachment 7 - Birtinya Town Centre Renders

These renders are for information purposes only, and do not form part of the proposed Temporary Local Planning Instrument (TLPI) document package.

The renders shown in this attachment illustrate indicative layout and massing of the proposed town centre based on the original TLPI proposal, which included three 18-storey sites. This is the version that Council sought community feedback on.

Stockland has been advised of Council officers' recommendation to remove the three 18-storey sites, following the outcomes of the community consultation process. However in the time available they have not been able to provide updated renders of the Birtinya Town Centre, showing building height limited to 15-storeys based on the recommendation of this report.



Note: these renders show indicative massing of the proposed town centre and the originally proposed three 18-storey sites, which would now be limited to 15-storeys based on the recommendation of this report.

Lakeside

Precinct Park



Note: these renders show indicative massing of the proposed town centre and the originally proposed three 18-storey sites, which would now be limited to 15-storeys based on the recommendation of this report.



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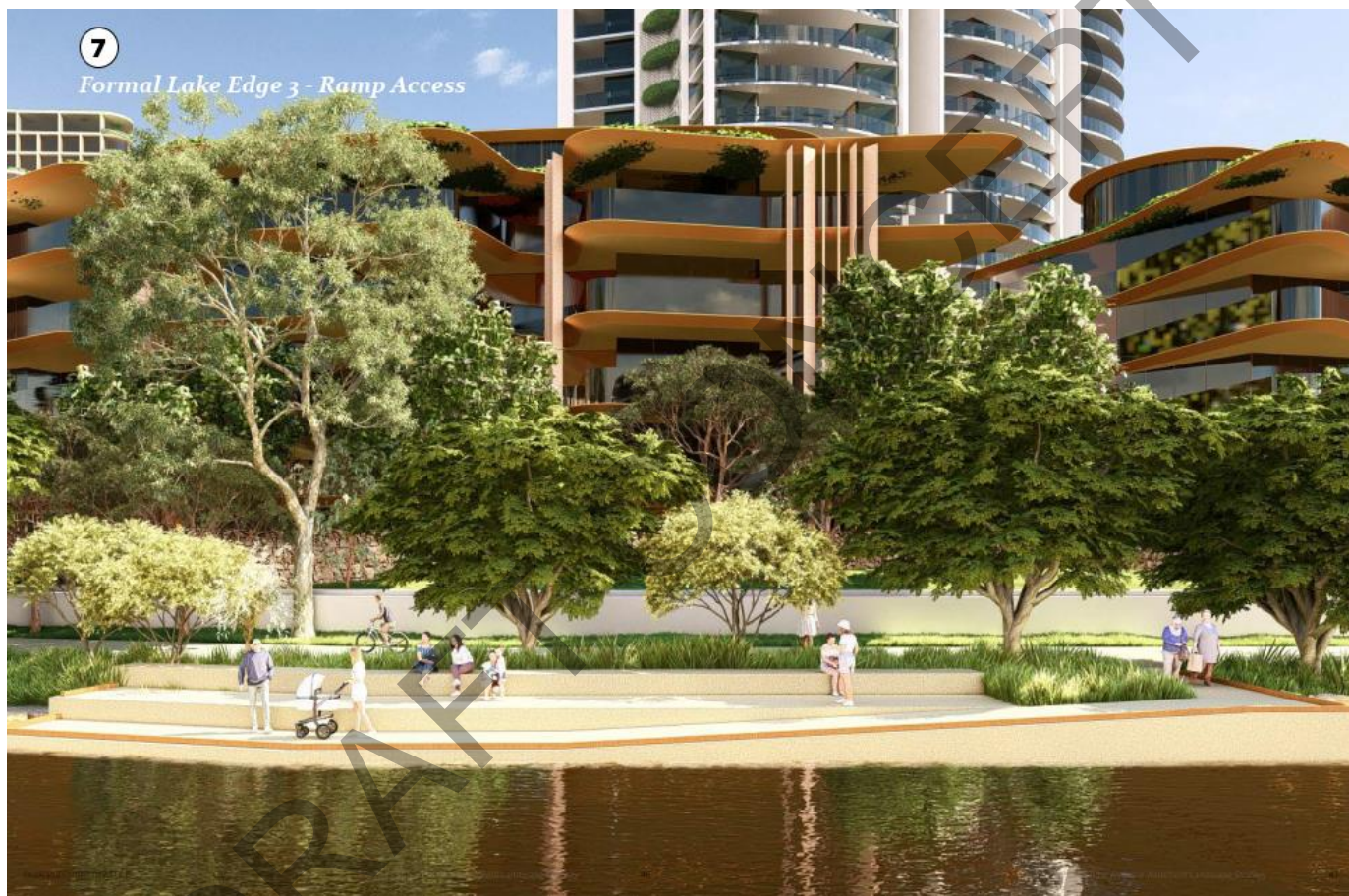
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Precinct Park Visualisations



Note: these renders show indicative massing of the proposed town centre and the originally proposed three 18-storey sites, which would now be limited to 15-storeys based on the recommendation of this report.

Green Spine

Neighbourhood Park



Note: these renders show indicative massing of the proposed town centre and the originally proposed three 18-storey sites, which would now be limited to 15-storeys based on the recommendation of this report.

Neighbourhood Park - Visualisations



Note: these renders show indicative massing of the proposed town centre and the originally proposed three 18-storey sites, which would now be limited to 15-storeys based on the recommendation of this report.

Neighbourhood Park - Visualisations



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Masterplan





Development Control Plan 1 Kawana Waters

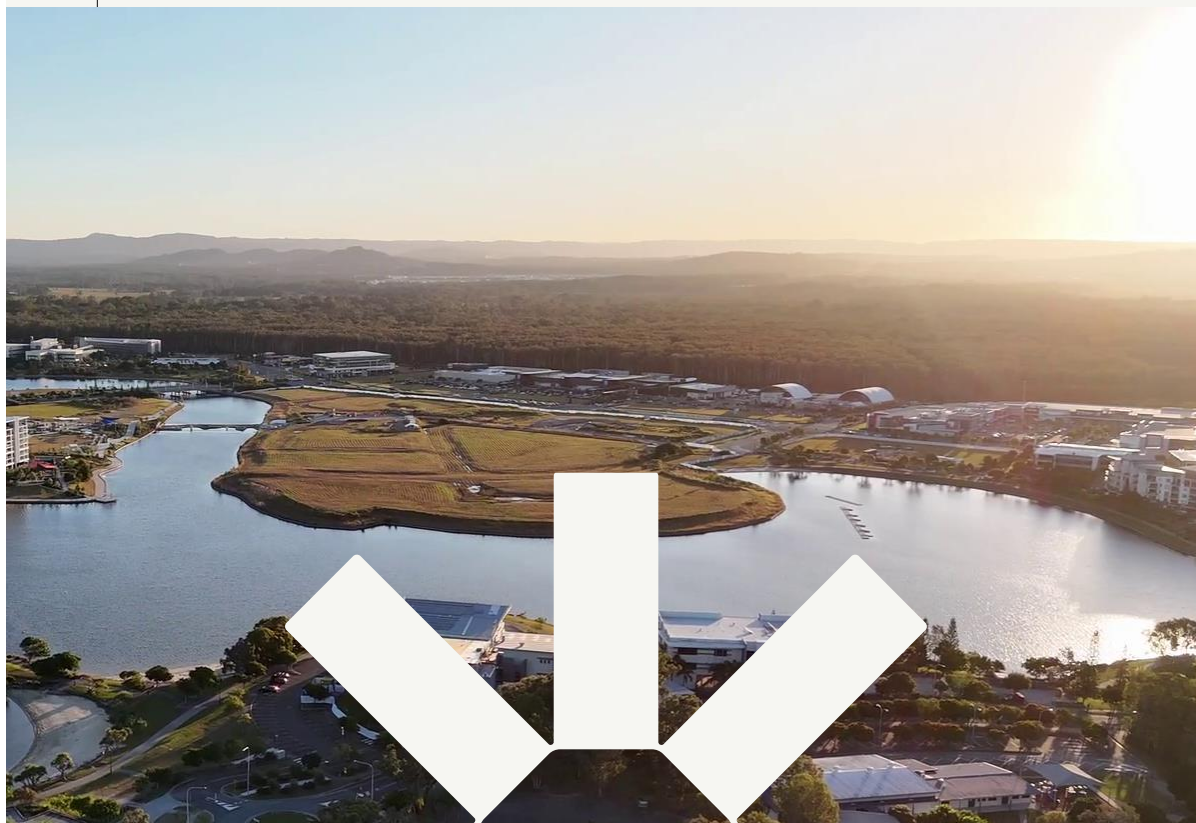
Birtinya Town Centre – Transport

FOR: Stockland Kawana Waters Pty Ltd

SLR PROJECT No: 620.V31113.00002

Revision: FINAL

3 December 2024



Stockland Kawana Waters Pty Ltd
Birtinya Town Centre - Transport

3 December 2024
SLR Project No.: 620.V31113.00002

Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
FINAL	3 December 2024	Jess Peters	Jess Peters	Jeffrey Baczynski

SLR Ref No.: 620.31113.00000 BTC Transport Summary Report FINAL 2024 12 03.docx

Basis of Report

This report has been prepared by SLR Consulting Australia (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Stockland Kawana Waters Pty Ltd (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.



Stockland Kawana Waters Pty Ltd
Birtinya Town Centre - Transport

3 December 2024
SLR Project No.: 620.V31113.00002

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Appendices

Appendix A DPAP Maps

Acronyms and Abbreviations

AT	Active Transport
BRT	Bus Rapid Transit
BTC	Birtinya Town Centre
DCP	Development Control Plan
DPA	Detailed Planning Area
DPAP	Detailed Planning Area Plan
DSCR	Direct Sunshine Coast Rail
MMTC	Multi-Modal Transit Corridor
M&P	Movement and Place
PT	Public Transport
SCC	Sunshine Coast Council
SCPT	Sunshine Coast Public Transport
TLPI	Temporary Local Planning Instrument
TMR	Queensland Department of Transport and Main Roads



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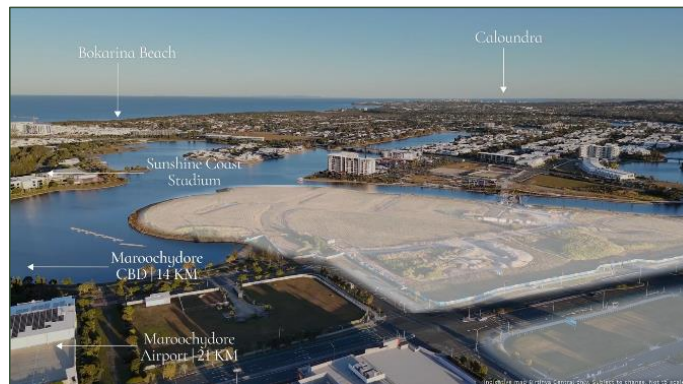
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1.0 Introduction

SLR Consulting Australia Pty Ltd (SLR) has been commissioned by Stockland Kawana Waters Pty Ltd (Stockland) to provide transport advice in relation to the Birtinya Town Centre, Sunshine Coast.

Specifically, this report addresses the transport elements of a proposed amendment to Development Control Plan 1 (DCP-1) via a Temporary Local Planning Instrument (TLPI).

This report summarises the ultimate transport network envisaged (both internally and externally) to support the Birtinya Town Centre (BTC).



1.1 DCP-1 Amendment

The proposed amendments to DCP-1 specifically includes the following items relating to Detailed Planning Area 13 (Town Centre):

- Amendment of references to key open space elements (removal of Town Square and replacement with Green Spine).
- Introduction of provisions allowing residential forms of development in the Town Centre West precinct.
- Amendment of urban design references, primarily associated with Kawana Way interface.
- Introduction of references encouraging residential forms of development that contribute towards the provision of housing diversity and affordability.
- Adjustments to maximum building heights from 10 storeys to 18 storeys in key locations.
- Adjustment of the maximum population thresholds for Precinct 3 of DCP area to facilitate uplift for BTC while maintaining compliance with the existing overall population threshold of 22,410 persons within Precincts 1 – 5.



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1.2 Reporting Context

The transport task associated with the Birtinya Town Centre is highly integrated with land use planning and has considerable history (see **Table 1**). It is also reliant on multiple stakeholders (see **Table 2**) for approvals and delivery of committed infrastructure, land use outcomes and travel behaviour aspirations (see **Table 3**).

To inform the TLPI, this summary report therefore synthesises information relevant (and available) to transport networks for Birtinya Town Centre for an ultimate (2041) scenario.

Road network operations have been assessed by Sunshine Coast Council (SCC) via updates to both strategic and mesoscopic modelling. The Department of Transport and Main Roads (TMR) has been directly involved as a stakeholder with this modelling.

However a holistic view of transport is also required (ie. beyond car-based travel) including consideration of Movement and Place. This acknowledges the core transport task for the precinct will be via active transport and public transport, as well as delivering significant place value for residents and the broader community.

Consistent with the existing approvals framework for the Kawana Waters development area, subsequent transport assessment will be undertaken at future stages of planning and approvals. These stages include:

- Amendments to the Kawana Waters Structure Plan
- Amendments to the Detailed Planning Area Plan for Detailed Planning Area 13 (Town Centre)

Through these stages, further assessment of interim staging for delivery of development and infrastructure will be undertaken, as well as review of individual lot layouts and accesses.

Table 1 Transport Assessment History

Year	Details of Assessment Undertaken
1996	Transport Infrastructure Agreement was established in late 1996.
1999	Kawana Waters Structure Plan approved.
1999-2017	Various transport modelling undertaken to inform the original Structure Plan, and subsequent amendments.
2017	Car Parking Management Plan for the Kawana Development Area – Town Centre. Endorsed by SCC.
2020	Traffic Impact Assessment Detailed Planning Area 13 – Town Centre Condition 15B Development to address TMR road network timing. Accepted by TMR.
2018-2023	Ongoing minor changes to the approved Structure Plan to respond to changing market needs.
2024	Currently proposed DCP-1 Amendment via TLPI



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Table 2 Transport Network Stakeholders



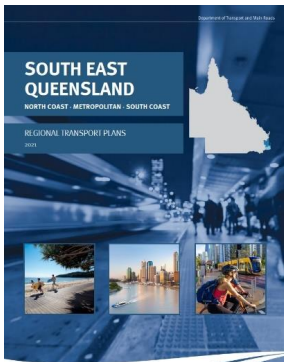
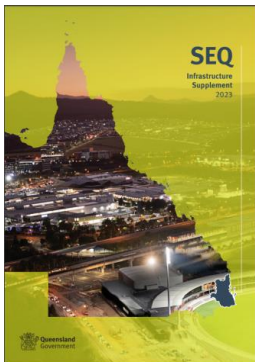
Stakeholder	Transport Interests
Master Developer (Stockland)	Responsible for overseeing the overall development of the area, which includes ensuring that transportation infrastructure meets the needs of residents, businesses, and visitors.
Sunshine Coast Council (SCC)	SCC are party to the Development Agreement, and act as one of the approval authorities for the area. Responsible for local road network management and are undertaking regional transport modelling to inform the TLPI.
Department of Resources (DoR)	DoR is responsible for administration of the development lease, is a party to the Development Agreement and is responsible for approving amendments at Structure Plan and Detailed Planning Area Plan level, subject to recommendations been made by SCC.
Department of Housing, Local Government, Planning and Public Works (DHLGPPW)	DHLGPPW have an interest in providing well-located housing to address housing supply issues. Shaping SEQ (prepared by DHLGPPW) identifies Birtinya/Kawana Waters as a Major Regional Activity Centre, Regional Economic Cluster, and part of SEQ Great Places.
Queensland Department of Transport and Main Roads (TMR)	TMR is responsible for creating an integrated transport network accessible to everyone and maintaining the safety and efficiency of the Queensland's state-controlled road (SCR) network through transport planning and infrastructure projects such as: <ul style="list-style-type: none"> North Coast District – Multiple planning instruments including TMR's Regional Transport Plan acknowledge that Birtinya (Kawana) Town Centre is intended to be a transit-oriented development that will incorporate high-quality public transport links. Direct Sunshine Coast Rail Line - delivering high-frequency heavy rail connecting the Sunshine Coast to Moreton Bay, Brisbane, and beyond with significant funding from both the Queensland and Australian governments Sunshine Coast public transport, business case - Business case to enhance public transport between Maroochydore and the Sunshine Coast University Hospital at Birtinya, potentially extending to Caloundra.
Other Landholders	Major infrastructure and development projects that bring significant improvements, enhance community amenities, boost the local economy, and create job opportunities would support proposals for increased density, facilitating more comprehensive and sustainable urban growth.



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Table 3 Infrastructure, Land Use Outcomes and Travel Behaviour Aspirations

ShapingSEQ: South East Queensland Regional Plan (2023)	Sunshine Coast Council Integrated Transport Strategy (2019)
 <p>Designates Birtinya (Kawana) as a Major regional activity centre, as well as a regional economic cluster.</p> <p>The area presents opportunities for increased residential density, mixed-use development and diversity of housing types to support housing choice given its higher concentrations of employment, services and location on the proposed Direct Sunshine Coast Rail Line</p> <p>Other economic-enabling infrastructure includes Kawana Way and the Sunshine Coast Public Transport Project</p>	 <p>Acknowledges Kawana as major infill development for employment and residential growth.</p> <p>Shows the integration of Birtinya (Kawana Town Centre) with the CAMCOS/DSCR corridor and Sunshine Coast Public Transport (referred to as Light Rail, but currently under review as SCPT).</p> <p>Notes that reduced car travel is essential to maintaining lifestyle and character of communities, therefore increasing public transport and active travel mode shares are a priority.</p>
South East Queensland Regional Transport Plan (2021)	South East Queensland Infrastructure Supplement (2023)
 <p>Acknowledges the Kawana precinct as necessary and requires investment in state transport infrastructure and services.</p> <p>"Transport and Main Roads will work with Sunshine Coast Council and proponents to support this objective (such as planning for upgrades to the Mooloolah River Interchange, Kawana Arterial and Sunshine Motorway)".</p> <p>Notes that the area is ideal for achieving residential yields with a transit-oriented development</p>	 <p>Supporting the ShapingSEQ, the Sunshine Coast Public Transport project (Maroochydore to Birtinya) is listed as a committed state infrastructure project.</p> <p>Other projects in planning stages include the Direct Sunshine Coast Line, Kawana Motorway and future stages of the Sunshine Coast Public Transport project.</p>



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2.0 The Development

2.1 Birtinya Town Centre Opportunity

The Birtinya Town Centre is a proposed residential and commercial mixed-use precinct with a strong urban context. Due to its strategic location, it is expected to be a key economic hub enhanced by its connectivity to the wider Sunshine Coast Region.

The proposed amendments to the planning framework, including the TLPI, are intended to respond to the current shortage of housing supply in South East Queensland (SEQ) and more specifically the Sunshine Coast region. It has been proposed to better support the region's projected growth by:

- improving connectivity to key destinations within the Kawana Waters master planned development
- minimising car dependency by offering well-situated, attractive housing options supported by enhanced active and public transport infrastructure
- increasing density to leverage the amenity rich location – providing more homes with walkability to employment, services and future public transport
- providing diverse dwelling types able to support multiple household dynamics (families, couples) and social situations.

Figure 1 and **Figure 2** detail the proposed masterplan and proposed land use areas respectively.

Figure 1 Master Plan



Figure 2 Land Use Areas



Source: DPAP Map 2



2.2 Integrated Transport Opportunities

The intent for the Birtinya Town Centre is to provide appropriate residential and employment opportunities supported by high quality direct pedestrian and cycle connections. These will link internally to the proposed development, whilst connections to the wider Kawana Waters master planned development will be established through a combination of green bridges, new road connections, and public transport services.

Several regionally significant projects are under consideration that will improve the transport network for the local area supporting the Birtinya Town Centre and the broader Kawana precinct. These include:

- Direct Sunshine Coast Rail (TMR).
- Sunshine Coast Public Transport Project (SCC/TMR).
- Kawana Motorway upgrade (TMR).

From a transport perspective, establishing a major residential and commercial precinct in this location provides the opportunity for enhanced sustainable transport in the region via:

- Reducing the overall trip distances required for travel to work and tertiary-level education.
- Enhancing the attractiveness of active transport and public transport modes as a result of shorter trip distances.
- Supporting the achievement of increased self-containment within the region.
- Acting as a catalyst by exemplifying high quality active transport and public transport outcomes that can be logically extended to the broader area over time.

2.3 Further and Future Opportunities

As part of the Brisbane 2032 Olympic and Paralympic Games, the Sunshine Coast Region has been chosen to cohost nine different events at four key venues accommodating up to 1,400 athletes.

The Kawana Precinct is a key venue which includes the proposed Sunshine Coast Indoor Sports Centre adjacent to an upgraded Sunshine Coast Stadium with construction expected to commence in late 2025 and open for use in 2027.

The new venue will support the local community, and athletes before, during, and long after Brisbane 2032. Further, the proposed development incorporates enhancements to the approved active transport links that will aid patron movement during the games.

2.4 Summary of Yields

Detailed yields and population forecasts are included in the TLPI documentation and should be referred to in the first instance.

For the purposes of the transport task, the yields in **Table 4** have guided review of the network and modelling.

These yields facilitate dwelling uplift for the town centre while maintaining compliance with the overall population thresholds.

Table 4 Gross Floor Area (GFA) and Proposed Dwellings

Precinct	GFA	Dwellings
Town Centre South	4,875-5,080 m ²	60-63 dw
Town Centre West	34,500-43,950 m ²	200-400 dw
Town Centre East	25,515-33,950 m ²	750-1,497 dw
Town Centre Lakeside	500-3,005 m ²	320-640 dw
Total	65,390-85,985 m²	1,330-2,600 dw



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3.0 Transport Networks

3.1 Movement and Place

For consideration of the transport networks for the purpose of the TLPI, reference has been made to the contemporary transport planning principles of movement and place.

Movement can be described via the following, together with consideration of modal hierarchy:

- Character/function – the nature of the travel task:
 - To/from - movement generated from within the study area, with an origin or destination outside it
 - Through - movement through the study area without stopping or dwelling
 - Within - local or 'contained' movement within the study area.

Figure 3 summarises TMR's process of classifying movement.

Place then considers elements including commerce and activity, movement, heritage and culture and urban form.

Figure 4 summarises TMR's process of classifying place.

The combination of the movement and place aspects allows classification of each corridor against typical typologies. Each typology is characterised by a different balance of movement and place functions.

For Birtinya Town Centre, **Table 5** summarises the core movement and place characteristics for the key corridors in the area, mapped to the relevant DPAP plans for reference (included in **Appendix A**).

Figure 3 Classifying Movement

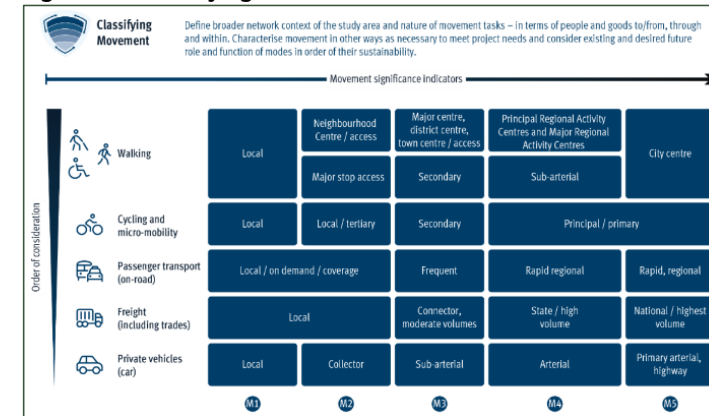
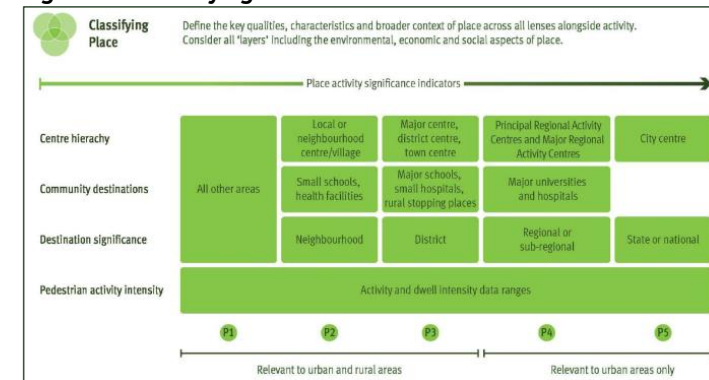


Figure 4 Classifying Place



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Table 5 Movement and Place Classifications

THE AVENUE (Including East and West of Kawana Way)		CENTRAL ACCESS STREETS (Including Innovation Parkway)	
DPAP Maps: 19A, 19B, 19C, 19D, 19G, 19H, 19I, 19J		DPAP Maps: 19L, 19M, 19F, 19N	
Classifying Movement and Place 		Classifying Movement and Place 	
Urban Classification 		Urban Classification 	
Civic Streets <p>These streets have a higher place classification representing the increased level of on-street activity and higher-density-adjacent land uses generating that activity. The lower movement classification indicates that these streets are mainly intended for localised on-street activity. The lateral movement of pedestrians is usually given priority in these spaces and are encouraged to spend time in, and where people on foot of all abilities can relax and move freely and safely.</p> <p>Other terms used include laneways, pedestrianised streets, plazas, and low speed shared streets.</p>		Activated Streets <p>Provides access to shops and services by all modes, often supporting a mix of movement to and from, through and within. There is strong demand for both movement as well as place, with a need to manage competing demands within the available road space. Activated streets aim to ensure a high-quality public realm with a strong focus on supporting businesses, traders, and neighbourhood life. People spend a significant amount of time working, shopping, eating, residing, or undertaking recreation within these streets that often are located in an activity or town centre environment.</p>	
The proposed cross-sections (Main Street and Central Spine) align with the Civic Street M&P classification by providing a highly pedestrianised connection responding to the adjacent land uses.		The proposed cross-sections (Centre Access Street variations) align with the Activated Street M&P classification by providing a high-quality public realm while also allowing local access to individual lots.	



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KAWANA WAY		CENTRAL BOULEVARD	
DPAP Maps: 19E		DPAP Maps: 19K	
Classifying Movement and Place 		Classifying Movement and Place 	
Urban Classification 	Urban Connector <p>Urban connectors provide safe, reliable, and efficient movement of people and goods between regions and strategic centres and mitigate the impact on adjacent communities. The purpose of urban connectors is to provide for efficient movement of people and goods from A to B. There are low levels of interaction between the adjacent land use, road users, and the street itself. Their key role is to facilitate movement along them rather than accessing adjacent properties.</p>	Urban Classification 	Main Streets <p>Main streets have an important place function but a relatively important movement function as well, often including high through movement. They aim to support businesses, on-street activity and public life while ensuring connections with the wider transport network. Similarly, to city streets, they need to balance the interaction between people and goods movement and on-street activity.</p>
The proposed cross-section (Sub-Arterial Road) aligns with TMR's Urban Connector M&P classification through the facilitation of movement (both private vehicle and future rapid public transport).		The proposed cross-sections (Trunk Collector) aligns with the Main Street M&P classification through the facilitation of movement while balancing business access and on-street activity.	



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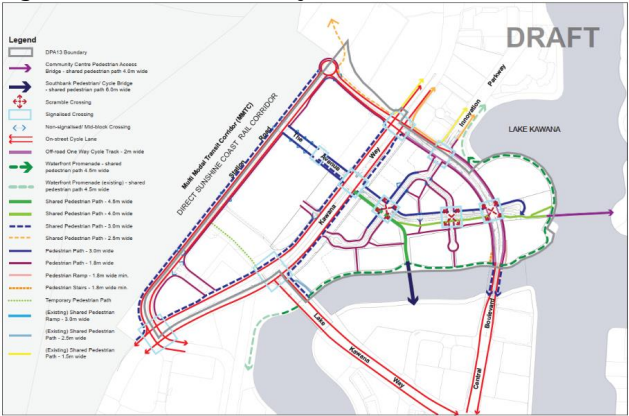
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3.2 Active Transport

An updated Pedestrian and Cycle Movement Plan (with detailed integrated consideration of urban design, activation and placemaking) has been prepared as shown in **Figure 5**.

The active transport network integrates logically with existing infrastructure and the future provision of public transport stops.

Figure 5 Pedestrian and Cycle Movement Plan



Source: DPAP Map 5

A significant enabler of the active transport network is the construction of two bridges and completion of the walkable waterfront around the town centre lake interface for active travel access, as shown on **Figure 6**.

Figure 6 New Bridges



A new 130-metre pedestrian bridge will be built across Lake Kawana, funded by Stockland at a cost of approximately \$27 million. This bridge will enhance the route around and across the lake, providing a new east-west link from Birtinya Town Centre to the east bank of Lake Kawana and stadium precinct. The bridge is expected to open to the public in 2026.

Additionally, a smaller 70-metre pedestrian bridge is also under construction, which will connect the Town Centre to the Southbank Park at Birtinya. This bridge is expected to be open to the public in 2025.

Combined with the Walkable Waterfront footpaths, these bridges will create a full loop around Lake Kawana, improve connectivity and support the future growth of the area.



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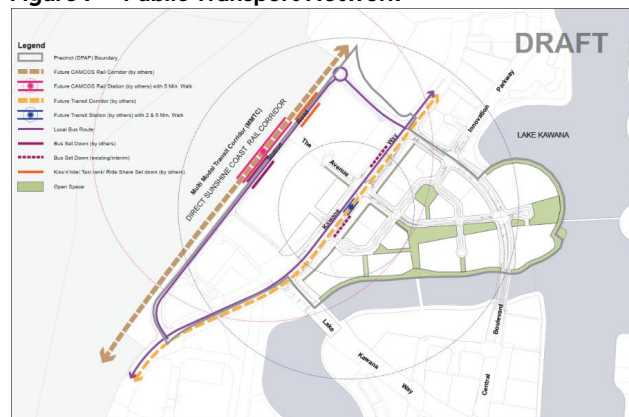
3.3 Public Transport

Two key regional public transport projects are under consideration that Birtinya Town Centre is proposed to be integrated with as shown on **Figure 7**:

- Direct Sunshine Coast Rail - delivering connections to other major regional Sunshine Coast centres and to Brisbane CBD.
- Sunshine Coast Public Transport - delivering connections to other Sunshine Coast destinations

Further detail from the publicly available information is included in **Section 3.6.1** and **Section 3.6.2** respectively.

Figure 7 Public Transport Network



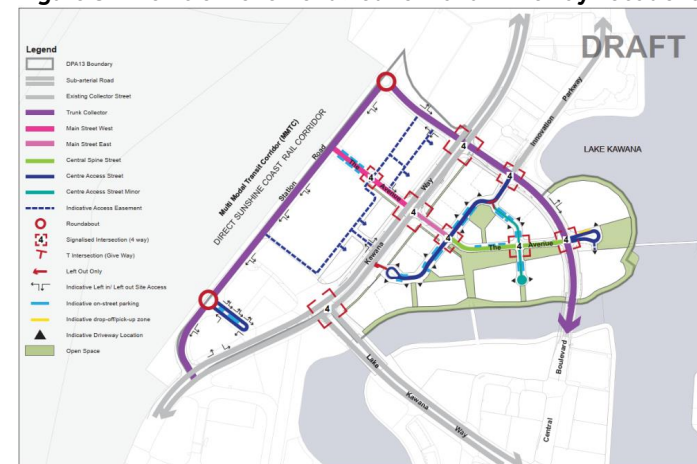
Source: DPAP Map 13

3.4 Road Network and Access

Indicative access locations to the road network for the town centre precincts are shown on **Figure 8**.

Further to the local road network, Kawana Motorway - a TMR project, is proposed to support regional growth in the Sunshine Coast. This corridor runs parallel to Kawana Way, with further details from publicly available information included in **Section 3.6.3**.

Figure 8 Vehicle Movement Network and Driveway Locations



Source: DPAP Map 7

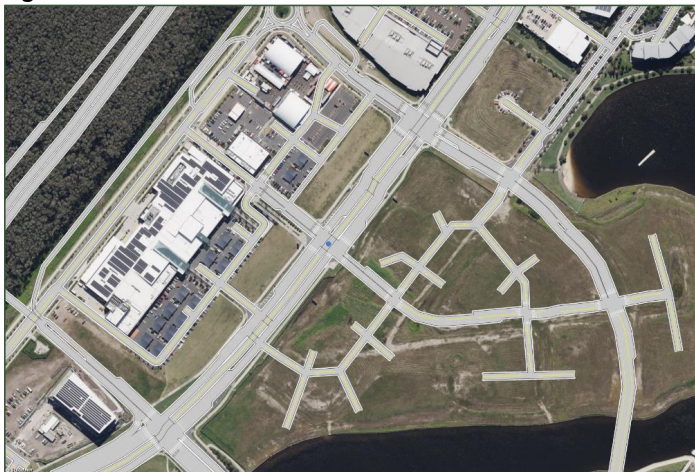


3.5 Transport Modelling

Transport modelling has been undertaken by SCC in collaboration with TMR and Stockland for the ultimate design horizon (2041) to inform the DCP-1 Amendment process. The modelling has considered strategic-level mode choice of active transport and public transport (using EMME) with mesoscopic modelling in VISUM of the operations of the regional road network. The modelled road network is shown on **Figure 9**.

The Ultimate (2041) model scenario incorporates full build-out of the revised BTC yields and delivery of all regionally significant transport infrastructure noted in **Section 3.6**.

Figure 9 Indicative Model Network



Based on model outputs provided by SCC: **21 October 2024**

This has been (and continues to be) an iterative process by SCC, to balance the various aspects of the transport network. For this transport report, SCC has provided high level outputs, as presented on **Figure 10**.

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.

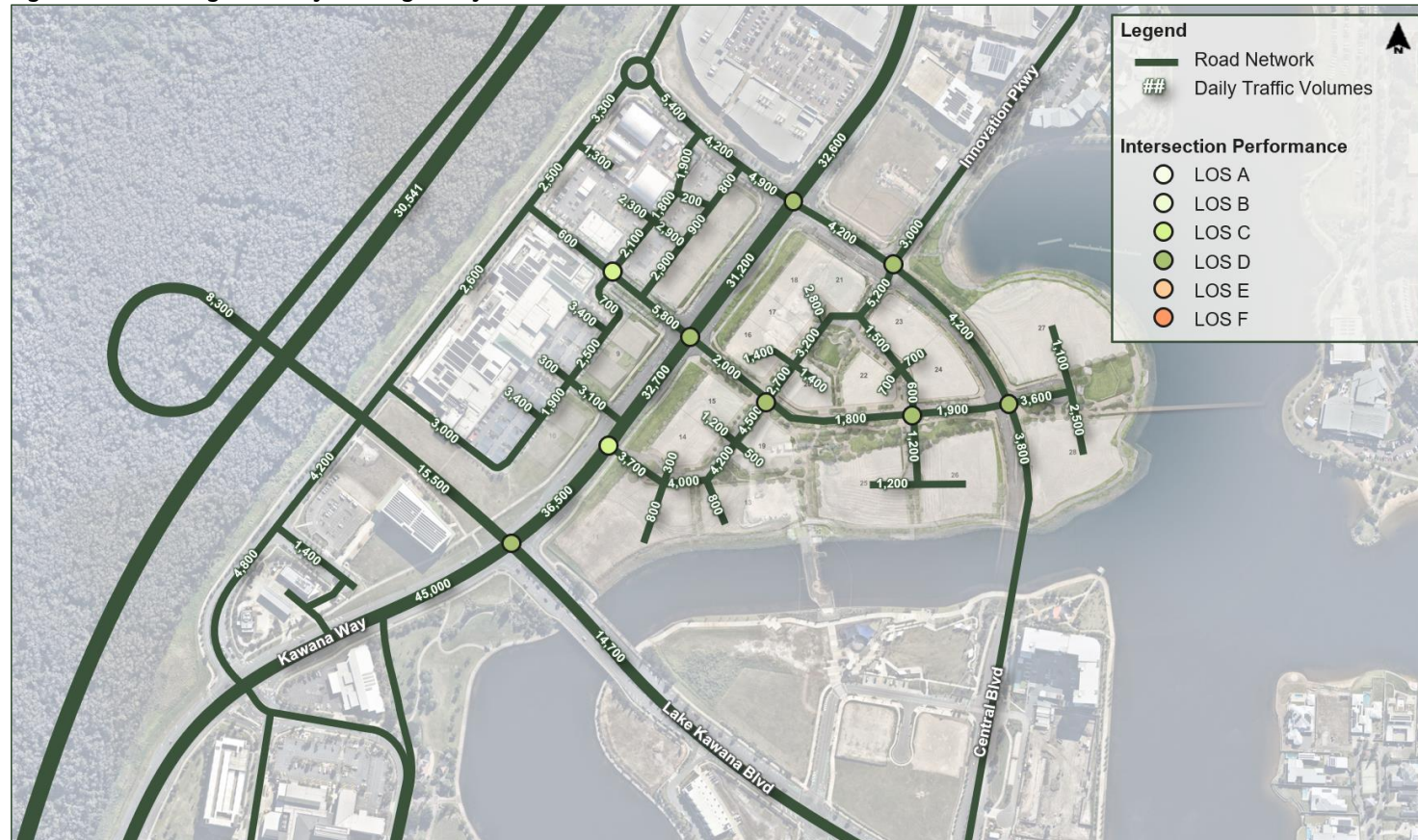
Table 6 compares the recent 2041 *model scenario* results to the 2031 *previously accepted model scenario* results. While the scenarios present different design years, they generally represent a full build out development scenario. The results are similar which is expected, despite the decade-gap in 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.



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Figure 10 Modelling Summary (Average Daily Traffic and Intersection Performance²)



Based on model outputs provided by SCC: 21 October 2024



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Table 6 Key Intersection Summary

Key Intersection	Current or Previously Approved Form	Previously Accepted 2031 Level of Service ¹	Revised 2041 Forecast Level of Service ²	Commentary
Kawana Way/Lake Kawana Boulevard	Four-way signalised	C-F	D	Within previously predicted range
Kawana Way/The Avenue	Four-way signalised	D-E	D	Within previously predicted range
Kawana Way/Central Boulevard	Four-way signalised	C-F	D	Within previously predicted range
Central Boulevard/Innovation Parkway	Four-way signalised	C-D	D	Within previously predicted range
Central Boulevard/The Avenue	Four-way signalised	C-D	D	Within previously predicted range
The Avenue internal intersection(s)	Four-way signalised	C-E	D	Within previously predicted range

¹Worst average to maximum LOS from either AM or PM from VISUM modelling outputs (Appendix B) in Kawana Town Centre Traffic Modelling Report (PWC 2017).

²Worst intersection performance, based on model outputs provided by SCC: **21 October 2024**

Level of Service	Average Delay Range (seconds)
A (best)	0 – 10 seconds
B	10 – 20 seconds
C	20 – 35 seconds
D	35 – 55 seconds
E	55 – 80 seconds
F (worst)	80+ seconds

From Austroads Guide to Traffic Management Part 3: Transport Study and Analysis Methods, originally from Highway Capacity Manual 2000 and 2016



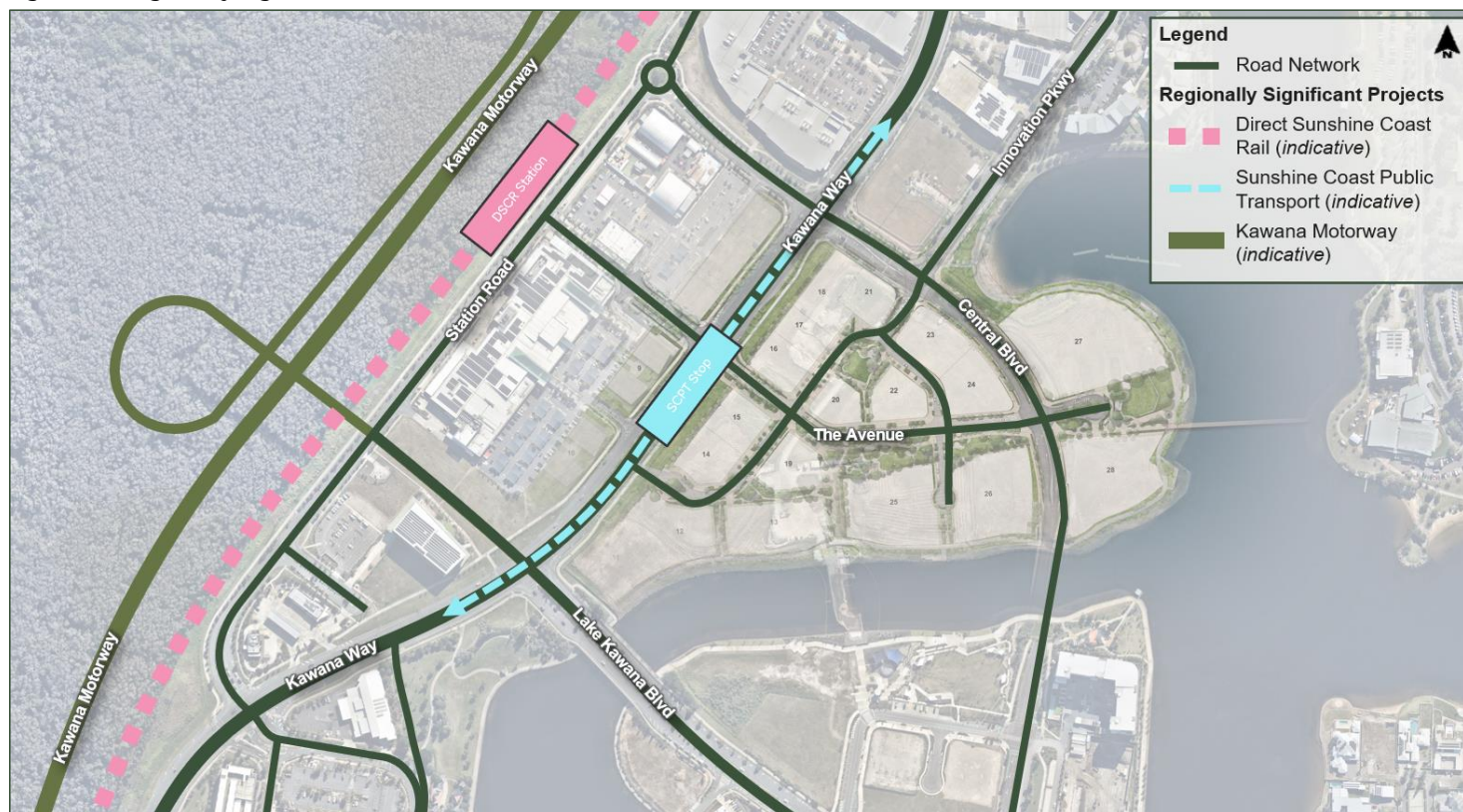
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3.6 Regionally Significant Infrastructure

Regionally significant infrastructure relative to the town centre is shown on Figure 11, with further details provided in the following sections.

Figure 11 Regionally Significant Infrastructure



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3.6.1 Direct Sunshine Coast Rail

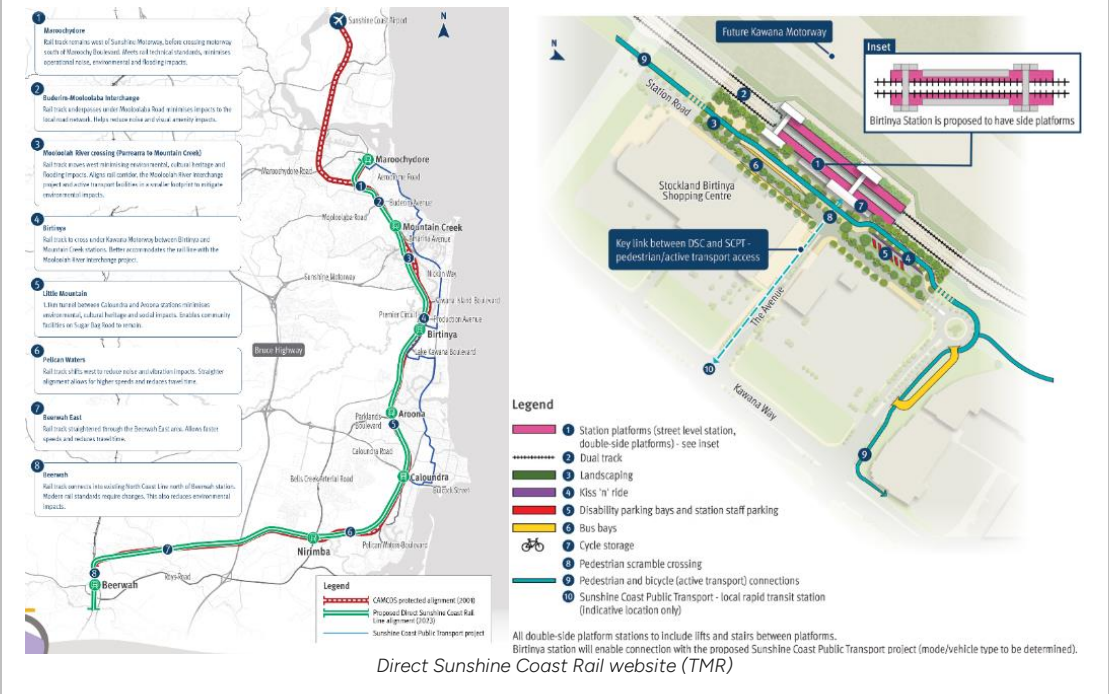
RESPONSIBLE	TIMING	INFLUENCE ON BTC
TMR	Stage 1 by 2032	Encourages uptake of public transport for regional trips, and reduces reliance on private vehicles.

OVERVIEW

The Direct Sunshine Coast Rail Line is a significant infrastructure project designed to enhance connectivity between the Sunshine Coast and South East Queensland.

This 37.8km dual-track rail line will ultimately run from Beerwah to Maroochydore, passing through key areas like Caloundra and Birtinya. The project will be delivered in stages, with the first stage focusing on the section from Beerwah to Caloundra and construction expected to commence in 2026.

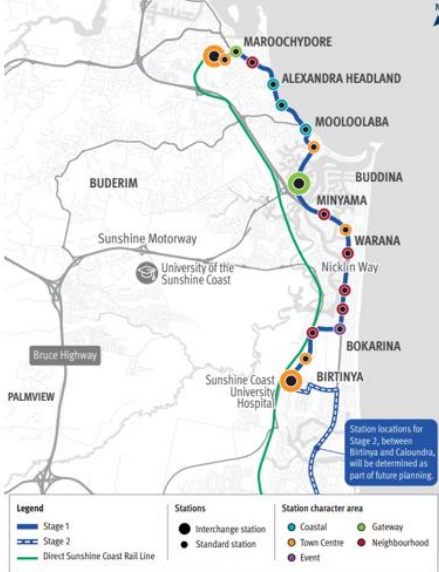
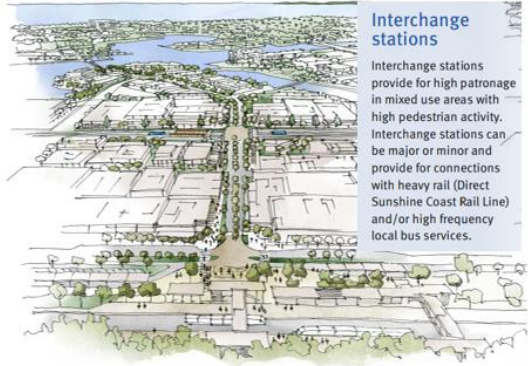
Birtinya has been identified as a major interchange station to facilitate connection between DSCR and the Sunshine Coast Public Transport project.



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3.6.2 Sunshine Coast Public Transport

RESPONSIBLE	TIMING	INFLUENCE ON BTC
TMR/SCC	Assumed by 2041	Encourages uptake of public transport for local trips, and reduces reliance on private vehicles.
OVERVIEW		
<div><div><p>The Sunshine Coast Public Transport project seeks to offer a public transport solution focusing on the connection between Maroochydore and the Sunshine Coast University Hospital at Birtinya, with a potential extension to Caloundra.</p><p>Various options are under consideration, including light rail, bus rapid transit (BRT), and trackless trams.</p><p>The project will help accommodate the region's growing population and enhance overall connectivity within the Sunshine Coast.</p><p>Birtinya has been identified as a major interchange station to facilitate connection between DSCR and the Sunshine Coast Public Transport project.</p></div><div><p>Map of the Sunshine Coast Public Transport project showing the route from Maroochydore to Birtinya, with various stations and landmarks like the University of the Sunshine Coast and Sunshine Coast University Hospital.</p><p>Legend: Stage 1 (Blue line), Stage 2 (Green line), Direct Sunshine Coast Rail Line (Red line).</p><p>Stations: Interchange station (Large black dot), Standard station (Small black dot).</p><p>Station character area: Coastal (Blue dot), Town Centre (Orange dot), Gateway (Green dot), Neighbourhood (Purple dot), Event (Pink dot).</p><p>*Locations of stations are subject to change.</p></div><div><p>Interchange stations provide for high patronage in mixed use areas with high pedestrian activity. Interchange stations can be major or minor and provide for connections with heavy rail (Direct Sunshine Coast Rail Line) and/or high frequency local bus services.</p><p>Town Centre stations are located within urban renewal and employment zones. The Town Centre character takes inspiration from new, sustainable city centre precincts.</p><p>Neutral colours, leafy plants and First Nations storytelling elements will help create shady outdoor meeting places that cater for day and night time use.</p></div></div> <p>Sunshine Coast Public Transport website (TMR)</p>		



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3.6.3 Kawana Motorway

RESPONSIBLE	TIMING	INFLUENCE ON BTC
TMR	Assumed by 2041	Frees up capacity on Kawana Way for localised trips (with Kawana Motorway for regional travel).

OVERVIEW

The Kawana Motorway project aims to create a new motorway link between Parrearra and Meridan Plains, enhancing connectivity and reducing congestion on major roads like Kawana Way and Nicklin Way. The motorway will form part of a new north-south route, connecting the Sunshine Motorway to the Bruce Highway via the Kawana Way Link Road and Bells Creek Arterial Road. The new motorway is proposed to connect the local road network with interchanges at three key locations: Woodlands Boulevard in Meridan Plains, Birtinya Town Centre, and Kawana Way. Within Birtinya, the motorway will connect to Kawana Way, Lake Kawana Boulevard and Station Road.

Kawana Motorway project update (TMR)



4.0 Parking and Servicing

4.1 Parking

For parking, there is a desire to balance contemporary regional parking precedents while allowing flexibility over an extended development timeline. For residential parking, provision needs to consider the diverse needs of various family dynamics expected in the area while encouraging use of non-private vehicle modes of travel.

For commercial and retail delivery, the commercial viability needs to be considered particularly for interim versus ultimate parking needs (ie. before and after the delivery of regionally significant infrastructure). This also must consider community expectations for sufficient off-street parking, while avoiding oversupplying parking so that price-setting mechanisms can also be effective.

The previously approved *Kawana Development Area – Town Centre Car Parking Management Plan (2017)* will be updated following the TLPI process to reflect these aspirations for the town centre.

4.2 Servicing

While the TLPI does not require servicing to be considered in detail (as this will occur in subsequent approvals), EGIS has ensured that the road layout is designed to accommodate a 12.5m Refuse Collection Vehicle (RCV), with a 19m check vehicle (where required) used to ensure Articulated Vehicles (AVs) can safely access the precinct.

Further details regarding road design (including swept paths) can be found in the EGIS Engineering Services Report.

5.0 Summary

The revised town centre, as proposed through the TLPI, continues to be strategically well-located to leverage the significant planned investment in transport infrastructure.

Town centre residents and visitors will be afforded multiple options to safely and conveniently travel to and within the precinct by active transport and public transport. Furthermore, strategic modelling undertaken by SCC confirms that the road network servicing the precinct will perform within typical thresholds at 2041.

5.1 Next Actions

Further transport assessment will be undertaken at subsequent stages of planning and approvals, consistent with the overall planning framework for the town centre. These stages include:

- Amendments to the Kawana Waters Structure Plan; and
- Amendments to the Detailed Planning Area Plan for the Town Centre.

Stockland and SLR are liaising with SCC and TMR as to their respective needs for transport assessments at each of these stages.



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6.0 RPEQ Certification

This report has been prepared under the direction of suitably qualified professionals with experience in transport engineering and transport planning.

Sincerely,

SLR Consulting Australia



Jeffrey Baczynski
RPEQ 23611
Technical Discipline Manager – Transport Advisory



Jess Peters
RPEQ 17838
Principal Consultant – Transport Advisory





Appendix A DPAP Maps

Birtinya Town Centre - Transport

Development Control Plan 1 – Kawana Waters

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Making Sustainability Happen



In applying Section 58 of the *Human Rights Act 2019* (Act), this statement of compatibility is made with respect to the proposed **Temporary Local Planning Instrument (TLPI) - Birtinya Town Centre**

The TLPI is compatible with the human rights protected by the Act. Date of assessment: 5 December 2024

Date/milestone of further assessment required: Not applicable.

Completed by: Urban Growth Projects

Human Rights Assessment

Which Human Rights are <i>engaged</i> ?		Which human rights are <i>limited</i> ?	Is the limitation reasonable and <i>justified</i> ?	Is the <i>decision</i> more generally <i>compatible</i> with the rights identified in column 1?
1	<p>Recognition and equality before the law (s15) – This TLPI may interact with this human right as it seeks to increase building height and residential density within the Birtinya Town Centre.</p> <p>This right relates to persons being equal before the law and entitled to equal protection of the law without discrimination.</p>	<p>The purpose of this TLPI is to amend the planning framework for Birtinya Town Centre with a focus on delivering more residential development in response to the housing crisis on the Sunshine Coast.</p> <p>To address the current housing crisis, the Sunshine Coast needs to provide more residential density in locations that have the infrastructure capacity to support additional development and provide opportunities to secure the delivery of affordable housing outcomes.</p> <p>As such, the TLPI seeks to increase building height within the town centre, shift unutilised population quotas from the already fully developed Development Control Plan (DCP) precincts to the town centre and provide an opportunity for development to contribute to the supply of housing diversity and affordability to address this urgent need.</p> <p>While the Birtinya Town Centre is proposed to increase building height and increase population within the town centre by redistributing unutilised</p>	N/A – not limited.	<p>Reasons in support of the proposed TLPI include:</p> <ul style="list-style-type: none"> expediting the planning and delivery of well-located and well serviced housing that is diverse and affordable promoting the delivery of the Birtinya Town Centre to stimulate economic development and jobs growth on the Sunshine Coast taking advantage of opportunities arising in the investment in the Kawana Sports Precinct in readiness for the Brisbane 2032 Olympic and Paralympic Games. <p>The proposed TLPI is considered compatible with the human rights under the <i>Human Rights Act 2019</i>. Consideration has been given to the interaction of this decision with the following human rights:</p> <ul style="list-style-type: none"> Recognition and equality before the law (s15); Freedom of expression (s21); Taking part in public life (s23);



Which Human Rights are <i>engaged</i> ?		Which human rights are <i>limited</i> ?	Is the limitation reasonable and <i>justified</i> ?	Is the <i>decision</i> more generally <i>compatible</i> with the rights identified in column 1?
		population allocations from already fully development areas within the DCP, the TLPI does not impact a person's effective protection against discrimination.		<ul style="list-style-type: none"> Property rights (s24); Privacy and reputation (s25); Protection of families and children (s26) and Cultural rights – Aboriginal peoples and Torres Strait Islander peoples (s28). <p>Any perceivable limitations on human rights are considered justified, due to the urgent need to respond to the housing crisis and capitalise on the opportunities presented by the Kawana Waters Sports Precinct in the lead up to and during the Brisbane 2032 Olympic and Paralympic Games.</p>
2	<p>Freedom of expression (s21) – This TLPI may interact with a person's freedom of expression as public consultation has been undertaken.</p> <p>This right relates to every person having the freedom to hold an opinion without interference, seek, receive and impart information and ideas of all kinds.</p>	<p>Whilst there is not a mandatory requirement through the <i>Planning Act 2016</i> (the Act) and the <i>Minister's Guidelines and Rules 2024</i> (MGR) to undertake public consultation for a TLPI, Council wanted to understand the community's views before deciding whether to proceed with the proposed TLPI.</p> <p>The proposed TLPI was placed on community consultation from 16 October to 12 November 2024 which provided the opportunity for individuals to express their thoughts and opinions. Therefore, it is considered that the freedom of expression has been protected and enhanced by placing the proposed TLPI on community consultation.</p> <p>Furthermore, individuals will not be restricted in their ability to hold an opinion and exchange their opinions with Council Officers or their elected representatives.</p>	N/A – not limited.	
3	<p>Take part in public life (s23) - This TLPI may interact with a person's ability to take part in public life as public consultation has been undertaken.</p> <p>Every person in Queensland has the right, and is to have the opportunity, without discrimination to participate in the conduct of public affairs, directly or through freely chosen representatives.</p>	<p>Council undertook a 20 business day public consultation period through several mechanisms including, but not limited to:</p> <ul style="list-style-type: none"> - media release published on Council's "OurSC" webpage and sent to all local media outlets, including radio, online and TV coverage; 	N/A – not limited.	



Which Human Rights are <i>engaged</i> ?		Which human rights are <i>limited</i> ?	Is the limitation reasonable and <i>justified</i> ?	Is the <i>decision</i> more generally <i>compatible</i> with the rights identified in column 1?
		<ul style="list-style-type: none"> - dedicated 'Have Your Say' website including a copy of the proposed TLPI and online Feedback form; - social media posts, including Facebook and LinkedIn; - briefings to key stakeholder groups; - two 2-hour long pop-up sessions held at Birtinya Shopping Centre; and - responding to email and telephone enquiries. <p>While Council cannot guarantee that all members of the public were made aware of the public consultation, effort was made to inform as many people as possible. As such, people were not restricted to take part in public life at the appropriate time.</p>		
4	<p>Property rights (s24) - This TLPI may deprive a person of property rights by limiting what they can do with their property.</p> <p>This right relates to a person's right to own property and not be arbitrarily deprived of that property.</p>	<p>The proposed TLPI will not remove any existing development rights from any existing properties.</p> <p>The TLPI allows for an increase in building height and residential density within the Birtinya Town Centre. Stockland is the master developer of the Kawana Waters DCP and they are responsible for managing and processing development outcomes under the Crown Land Development Lease and providing the required infrastructure to support the development area.</p> <p>The Birtinya Town Centre is the last remaining greenfield site in the area covered by the DCP for Kawana Waters and has always been intended as a Major Regional Activity Centre with retailing, offices and high-density</p>	<p>The limitation is justified given the urgent need to respond to the housing crisis and capitalise on opportunities presented by the Kawana Sports Precinct in the lead up to and during the Brisbane 2032 Olympic and Paralympic Games.</p> <p>The nature of the limitation does not arbitrarily deprive the individuals of absolute use of their property, rather having the potential to impact a person's potential property uses, in a proportionate way, managed through this proposed TLPI.</p> <p>Lawfully existing land use rights remain over all properties.</p> <p>On balance, the limitation of property rights is considered to be justified.</p>	



Which Human Rights are <i>engaged</i> ?		Which human rights are <i>limited</i> ?	Is the limitation reasonable and <i>justified</i> ?	Is the <i>decision</i> more generally <i>compatible</i> with the rights identified in column 1?
		<p>residential development as permitted by the current approved master plan. The proposed increase in building height has been considered and has been proposed in this area as 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.</p> <p>Public submissions can still be made against subsequent development applications; however these submitters will not have appeal rights.</p>		
5	<p>Privacy and reputation (s25) – The proposed TLPI will not result in any loss of privacy to any existing residences.</p> <p>This right relates to a person not having their privacy, family, home or correspondence unlawfully or arbitrarily interfered with.</p>	<p>The proposed increase in building height and residential density within the Birtinya Town Centre would not impact on privacy for surrounding landowners given the significant separation distance between buildings within the Town Centre and existing residences.</p> <p>The Birtinya Town Centre does not directly adjoin any low-rise residential neighbourhoods with physical separation to existing residential buildings being provided via roads, commercial buildings and a waterbody being Lake Kawana.</p> <p>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.</p> <p>Having regard to the above, any future residential building proposal within the</p>	<p>Any eventually realised limitation would be justified because of the importance of urgently needing to respond to the housing crisis and capitalise on the opportunities presented by the Kawana Waters Sports Precinct in the lead up to and during the Brisbane 2032 Olympic and Paralympic Games.</p> <p>The nature of the limitation does not deprive the individuals of absolute use of their property, rather having the potential to impact a person's privacy in a proportionate way, which is managed through the location of the Birtinya Town Centre and urban design principals that would be implemented to any future residential building.</p> <p>On balance, the limitation to privacy rights is considered to be justified.</p>	



Which Human Rights are <i>engaged</i> ?		Which human rights are <i>limited</i> ?	Is the limitation reasonable and <i>justified</i> ?	Is the <i>decision</i> more generally <i>compatible</i> with the rights identified in column 1?
		town centre would be assessed against provisions set out within the Detailed Planning Area Plan (DPAP), which specifies urban design performance criteria relating to issues such as privacy and overshadowing. This is a consistent approach applied to the Development Control Plan for Kawana Waters to the assessment of development applications for multiple dwellings and mixed-used developments.		
6	<p>Protection of families and children (s26) - The proposed TLPI will not have any adverse impacts on families and children. It is intended to provide much needed, well located, additional housing, which will benefit families and children.</p> <p>This right relates to protection of the family unit and to the protection of children without discrimination, to the protection that is needed by the child, and is in the child's best interest. The scope of this right, and its interaction with the right to privacy, has been perceived as relevant to planning matters where a family unit, or child's particular needs, created a specific conflict between a proposed development and the privacy needs of the family unit and/or child.</p>	<p>Birtinya Town Centre does not directly adjoin any low-rise residential neighbourhoods with physical separation to existing residential buildings being provided via roads, commercial buildings and a waterbody being Lake Kawana.</p> <p>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.</p> <p>Having regard to the above, any future residential building proposal within the town centre would be assessed against provisions set out within the Detailed Planning Area Plan (DPAP), which specifies urban design performance criteria relating to issues such as privacy and overshadowing. This is a consistent approach applied to the Development Control Plan for Kawana Waters to the assessment of development applications for multiple dwellings and mixed-used developments.</p>	<p>The limitation is justified because of the importance of urgently providing increased residential development in the Birtinya Town Centre in response to the housing crisis on the Sunshine Coast and capitalise on the opportunities presented by the Kawana Waters Sports Precinct in the lead up to and during the Brisbane 2032 Olympic and Paralympic Games.</p> <p>The nature of the limitation does not deprive the individuals of absolute use of their property, rather having the potential to impact a family or child's privacy in a proportionate way, which is managed through the location of the Birtinya Town Centre and urban design principals that would be implemented to any future residential building.</p> <p>On balance, the protection of families and children is considered to be satisfied.</p>	



Which Human Rights are <i>engaged</i> ?	Which human rights are <i>limited</i> ?	Is the limitation reasonable and <i>justified</i> ?	Is the <i>decision</i> more generally <i>compatible</i> with the rights identified in column 1?
<p>7 Cultural rights – Aboriginal peoples and Torres Strait Islander peoples (s28) - This TLPI may interact with Aboriginal peoples and Torres Strait Islander people's cultural backgrounds.</p> <p>This right relates to acknowledgement that Aboriginal peoples and Torres Strait Islander peoples hold distinct cultural rights.</p>	<p>The cultural rights of the traditional owners of the lands which the Sunshine Coast Council area relates are acknowledged, and it is noted that this TLPI may impact the lands within this region. The impact the proposed TLPI may interact with the cultural rights of those traditional owners.</p> <p>The town centre site was formed approximately 30-years ago when Lake Kawana was constructed. Prior to this, the land was low-lying paper bark forest. Given the significant vegetation clearing and earthworks that occurred in the mid 1990's to establish Lake Kawana, the risk to any known cultural signage or artifacts on site is considered low. This risk will remain monitored as the TLPI are implemented as appropriate.</p> <p>Given the above, whilst the TLPI decision may have some neutral interaction with this human right, it is not considered to be limited and should any limitation become evident during implementation of these efforts, further consideration will be had to manage the protection of relevant cultural rights.</p>	<p>N/A – not limited.</p>	



List of Human Rights

See also - Queensland Human Rights Commission guide to human rights: <https://www.qhrc.qld.gov.au/your-rights/human-rights-law>

Queensland Human Rights Commission guide for public entities <https://www.qhrc.qld.gov.au/your-responsibilities/for-public-entities>

Human Rights Act 2019 (Qld) <https://www.legislation.qld.gov.au/view/html/inforce/current/act-2019-005>

Rights most likely to be impacted by Council decisions are underlined, but all rights should be considered.

Act Ref	Right	Detail of Right
15	Recognition and equality before the law	<p>(1) Every person has the right to recognition as a person before the law.</p> <p>(2) Every person has the right to enjoy the person's human rights without discrimination.</p> <p>(3) Every person is equal before the law and is entitled to the equal protection of the law without discrimination.</p> <p>(4) Every person has the right to equal and effective protection against discrimination.</p> <p>(5) Measures taken for the purpose of assisting or advancing persons or groups of persons disadvantaged because of discrimination do not constitute discrimination.</p>
16	Right to life	Every person has the right to life and has the right not to be arbitrarily deprived of life.
17	Protection from torture and cruel, inhuman or degrading treatment	<p>A person must not be—</p> <p>(a) subjected to torture; or</p> <p>(b) treated or punished in a cruel, inhuman or degrading way; or</p> <p>(c) subjected to medical or scientific experimentation or treatment without the person's full, free and informed consent.</p>
18	Freedom from forced work	<p>(1) A person must not be held in slavery or servitude.</p> <p>(2) A person must not be made to perform forced or compulsory labour.</p> <p>(3) In this section—</p> <p>court order includes an order made by a court of another jurisdiction.</p> <p>forced or compulsory labour does not include—</p> <p>(a) work or service normally required of a person who is under detention because of a lawful court order or who, under a lawful court order, has been conditionally released from detention or ordered to perform work in the community; or</p>



Act Ref	Right	Detail of Right
		<p>(b) work or service performed under a work and development order under the State Penalties Enforcement Act 1999; or</p> <p>(c) work or service required because of an emergency threatening the Queensland community or a part of the Queensland community; or</p> <p>(d) work or service that forms part of normal civil obligations.</p>
19	Freedom of movement	Every person lawfully within Queensland has the right to move freely within Queensland and to enter and leave it, and has the freedom to choose where to live.
20	Freedom of thought, conscience, religion and belief	<p>(1) Every person has the right to freedom of thought, conscience, religion and belief, including—</p> <p>(a) the freedom to have or to adopt a religion or belief of the person's choice; and</p> <p>(b) the freedom to demonstrate the person's religion or belief in worship, observance, practice and teaching, either individually or as part of a community, in public or in private.</p> <p>(2) A person must not be coerced or restrained in a way that limits the person's freedom to have or adopt a religion or belief.</p>
21	Freedom of expression	<p>(1) Every person has the right to hold an opinion without interference.</p> <p>(2) Every person has the right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, whether within or outside Queensland and whether—</p> <p>(a) orally; or</p> <p>(b) in writing; or</p> <p>(c) in print; or</p> <p>(d) by way of art; or</p> <p>(e) in another medium chosen by the person.</p>
22	Peaceful assembly and freedom of association	<p>(1) Every person has the right of peaceful assembly.</p> <p>(2) Every person has the right to freedom of association with others, including the right to form and join trade unions.</p>
23	Taking part in public life	<p>(1) Every person in Queensland has the right, and is to have the opportunity, without discrimination to participate in the conduct of public affairs, directly or through freely chosen representatives.</p> <p>(2) Every eligible person has the right, and is to have the opportunity, without discrimination—</p> <p>(a) to vote and be elected at periodic State and local government elections that guarantee the free expression of the will of the electors; and</p> <p>(b) to have access, on general terms of equality, to the public service and to public office.</p>



Act Ref	Right	Detail of Right
24	Property rights	(1) All persons have the right to own property alone or in association with others. (2) A person must not be arbitrarily deprived of the person's property.
25	Privacy and reputation	A person has the right— (a) not to have the person's privacy, family, home or correspondence unlawfully or arbitrarily interfered with; and (b) not to have the person's reputation unlawfully attacked.
26	Protection of families and children	(1) Families are the fundamental group unit of society and are entitled to be protected by society and the State. (2) Every child has the right, without discrimination, to the protection that is needed by the child, and is in the child's best interests, because of being a child. (3) Every person born in Queensland has the right to a name and to be registered, as having been born, under a law of the State as soon as practicable after being born.
27	Cultural rights—generally	All persons with a particular cultural, religious, racial or linguistic background must not be denied the right, in community with other persons of that background, to enjoy their culture, to declare and practise their religion and to use their language.
28	Cultural rights—Aboriginal peoples and Torres Strait Islander peoples	(1) Aboriginal peoples and Torres Strait Islander peoples hold distinct cultural rights. (2) Aboriginal peoples and Torres Strait Islander peoples must not be denied the right, with other members of their community— (a) to enjoy, maintain, control, protect and develop their identity and cultural heritage, including their traditional knowledge, distinctive spiritual practices, observances, beliefs and teachings; and (b) to enjoy, maintain, control, protect, develop and use their language, including traditional cultural expressions; and (c) to enjoy, maintain, control, protect and develop their kinship ties; and (d) to maintain and strengthen their distinctive spiritual, material and economic relationship with the land, territories, waters, coastal seas and other resources with which they have a connection under Aboriginal tradition or Island custom; and (e) to conserve and protect the environment and productive capacity of their land, territories, waters, coastal seas and other resources. (3) Aboriginal peoples and Torres Strait Islander peoples have the right not to be subjected to forced assimilation or destruction of their culture.
29	Right to liberty and security of person	(1) Every person has the right to liberty and security. (2) A person must not be subjected to arbitrary arrest or detention. (3) A person must not be deprived of the person's liberty except on grounds, and in accordance with procedures, established by law.



Act Ref	Right	Detail of Right
		<p>(4) A person who is arrested or detained must be informed at the time of arrest or detention of the reason for the arrest or detention and must be promptly informed about any proceedings to be brought against the person.</p> <p>(5) A person who is arrested or detained on a criminal charge—</p> <ul style="list-style-type: none"> (a) must be promptly brought before a court; and (b) has the right to be brought to trial without unreasonable delay; and (c) must be released if paragraph (a) or (b) is not complied with. <p>(6) A person awaiting trial must not be automatically detained in custody, but the person's release may be subject to guarantees to appear—</p> <ul style="list-style-type: none"> (a) for trial; and (b) at any other stage of the judicial proceeding; and (c) if appropriate, for execution of judgment. <p>(7) A person deprived of liberty by arrest or detention is entitled to apply to a court for a declaration or order regarding the lawfulness of the person's detention, and the court must—</p> <ul style="list-style-type: none"> (a) make a decision without delay; and (b) order the release of the person if it finds the detention is unlawful. <p>(8) A person must not be imprisoned only because of the person's inability to perform a contractual obligation.</p>
30	Humane treatment when deprived of liberty	<p>(1) All persons deprived of liberty must be treated with humanity and with respect for the inherent dignity of the human person.</p> <p>(2) An accused person who is detained or a person detained without charge must be segregated from persons who have been convicted of offences, unless reasonably necessary.</p> <p>(3) An accused person who is detained or a person detained without charge must be treated in a way that is appropriate for a person who has not been convicted.</p>
31	Fair hearing	<p>(1) A person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.</p> <p>(2) However, a court or tribunal may exclude members of media organisations, other persons or the general public from all or part of a hearing in the public interest or the interests of justice.</p> <p>(3) All judgments or decisions made by a court or tribunal in a proceeding must be publicly available.</p>
32	Rights in criminal proceedings	<p>(1) A person charged with a criminal offence has the right to be presumed innocent until proved guilty according to law.</p> <p>(2) A person charged with a criminal offence is entitled without discrimination to the following minimum guarantees—</p>



Act Ref	Right	Detail of Right
		<p>(a) to be informed promptly and in detail of the nature and reason for the charge in a language or, if necessary, a type of communication the person speaks or understands;</p> <p>(b) to have adequate time and facilities to prepare the person's defence and to communicate with a lawyer or advisor chosen by the person;</p> <p>(c) to be tried without unreasonable delay;</p> <p>(d) to be tried in person, and to defend themselves personally or through legal assistance chosen by the person or, if eligible, through legal aid;</p> <p>(e) to be told, if the person does not have legal assistance, about the right, if eligible, to legal aid;</p> <p>(f) to have legal aid provided if the interests of justice require it, without any costs payable by the person if the person is eligible for free legal aid under the <i>Legal Aid Queensland Act 1997</i>;</p> <p>(g) to examine, or have examined, witnesses against the person;</p> <p>(h) to obtain the attendance and examination of witnesses on the person's behalf under the same conditions as witnesses for the prosecution;</p> <p>(i) to have the free assistance of an interpreter if the person can not understand or speak English;</p> <p>(j) to have the free assistance of specialised communication tools and technology, and assistants, if the person has communication or speech difficulties that require the assistance;</p> <p>(k) not to be compelled to testify against themselves or to confess guilt.</p> <p>(3) A child charged with a criminal offence has the right to a procedure that takes account of the child's age and the desirability of promoting the child's rehabilitation.</p> <p>(4) A person convicted of a criminal offence has the right to have the conviction and any sentence imposed in relation to it reviewed by a higher court in accordance with law.</p> <p>(5) In this section—</p> <p>legal aid means legal assistance given under the <i>Legal Aid Queensland Act 1997</i>.</p>
33	Children in the criminal process	<p>(1) An accused child who is detained, or a child detained without charge, must be segregated from all detained adults.</p> <p>(2) An accused child must be brought to trial as quickly as possible.</p> <p>(3) A child who has been convicted of an offence must be treated in a way that is appropriate for the child's age.</p>
34	Right not to be tried or punished more than once	<p>A person must not be tried or punished more than once for an offence in relation to which the person has already been finally convicted or acquitted in accordance with law.</p>





Act Ref	Right	Detail of Right
35	Retrospective criminal laws	<p>(1) A person must not be found guilty of a criminal offence because of conduct that was not a criminal offence when it was engaged in.</p> <p>(2) A penalty must not be imposed on any person for a criminal offence that is greater than the penalty that applied to the offence when it was committed.</p> <p>(3) If a penalty for an offence is reduced after a person committed the offence but before the person is sentenced for the offence, the person is eligible for the reduced penalty.</p> <p>(4) Nothing in this section affects the trial or punishment of any person for any act or omission that was a criminal offence under international law at the time it was done or omitted to be done.</p>
36	Right to education	<p>(1) Every child has the right to have access to primary and secondary education appropriate to the child's needs.</p> <p>(2) Every person has the right to have access, based on the person's abilities, to further vocational education and training that is equally accessible to all.</p>
37	Right to health services	<p>(1) Every person has the right to access health services without discrimination.</p> <p>(2) A person must not be refused emergency medical treatment that is immediately necessary to save the person's life or to prevent serious impairment to the person.</p>

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:	<i>Our outstanding organisation</i>
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.

2024-25 BUDGET

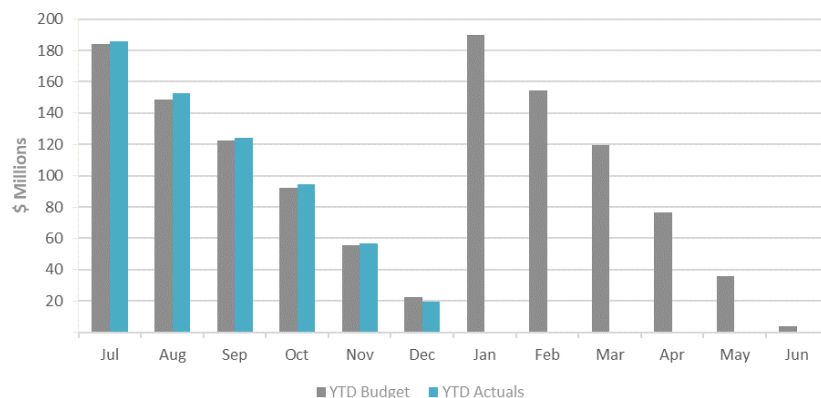
Financial Performance Report

December 2024



Statement of Income and Expenses

2024-25 Operating Result



As at 31 December, Council had an operating result of \$19.4 million, which is \$881,000 (4.8%) above current budget.

The operating result reflects the adjustments made in Budget Review 2.

Statement of Income & Expenses							December 2024
	Annual		YTD				Annual
	Original Budget \$000	Current Budget \$000	Current Budget \$000	Actuals \$000	Variance \$000	Variance %	Year End Forecast \$000
Operating Revenue							
General Rates	319,728	319,728	158,875	158,265	(610)	(0.4%)	319,243
Cleansing Charges	84,008	93,380	46,690	47,224	534	1.1%	93,380
Levies	23,872	23,890	11,868	11,871	4	0.0%	23,890
Fees and Charges	77,152	76,550	42,474	41,157	(1,317)	(3.1%)	75,983
Interest Received from Investments	14,883	12,870	5,691	5,744	52	0.9%	12,870
Operating Grants and Subsidies	16,129	17,407	12,148	11,986	(162)	(1.3%)	17,407
Operating Contributions	320	320	298	268	(30)	(10.1%)	320
Unitywater Participation	52,500	52,500	29,119	29,119	0	0.0%	52,500
Other Revenue	18,775	20,618	10,637	12,204	1,567	14.7%	20,618
Internal Sales/Recoveries	2,720	2,758	1,535	1,556	21	1.3%	2,758
Total Operating Revenue	610,085	620,020	319,335	319,393	57	0.0%	618,969
Operating Expenses							
Employee Costs	186,081	189,597	90,515	91,440	925	1.0%	189,097
Materials and Services	234,321	248,190	118,123	115,248	(2,875)	(2.4%)	248,190
Finance Costs	13,284	13,124	6,690	6,347	(343)	(5.1%)	13,124
Company Contributions	4,149	4,149	4,149	4,149	0	0.0%	4,149
Depreciation Expense	115,664	126,800	63,468	63,475	8	0.0%	126,800
Other Expenses	29,587	30,365	13,884	14,059	175	1.3%	30,365
Recurrent Capital Expenses	4,000	4,000	4,000	5,288	1,288	32.2%	5,288
Total Operating Expenses	587,086	616,224	300,829	300,006	(823)	(0.3%)	617,012
Operating Result	22,999	3,796	18,506	19,386	881	4.8%	1,957
Capital Revenue							
Capital Grants and Subsidies	25,000	54,663	12,877	12,877	-	-	54,663
Capital Contributions - Cash	33,629	25,000	18,712	18,712	-	-	25,000
Capital Contributions - Fixed Assets	74,538	74,538	-	-	-	-	74,538
Total Capital Revenue	133,167	154,201	31,589	31,589	-	-	154,201
Non-recurrent Expenses							
Profit/Loss on disposal, revaluation & impairment	-	-	-	944	944	-	944
Movements in landfill and quarry provisions	2,982	2,982	1,491	1,491	-	-	2,982
Recurrent Capital Expenses - Prior Year	-	-	-	178	178	-	178
Assets Transferred to Third Parties	-	-	-	-	-	-	-
Total Non-recurrent Expenses	2,982	2,982	1,491	2,613	1,122	75.3%	4,104
Net Result	153,185	155,016	48,604	48,363	(242)	(0.5%)	152,054

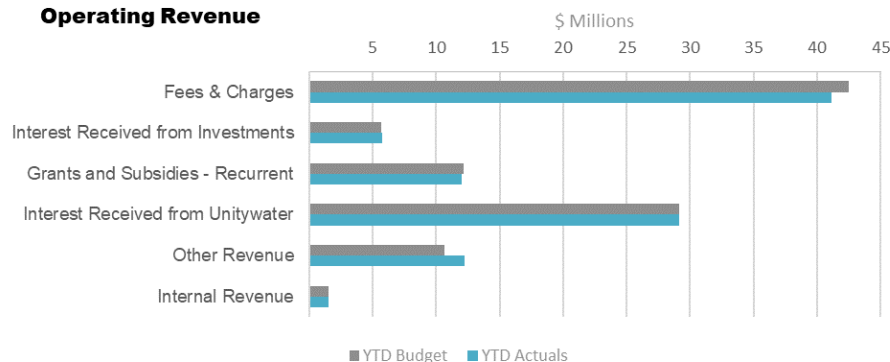
Operating Result - Revenue

\$319.4 million in operating revenue has been received which is \$57,000 higher than budget

- General Rates \$610,000 lower than budget
- Commercial Waste Levy collections lower than YTD budget \$466,000
- Waste Container Refund Scheme \$1.1 million higher than budget

Operating Summary			December 2024			
	Annual		YTD			
	Original Budget \$000s	Current Budget \$000s	Current Budget \$000s	Actuals \$000s	Variance \$000s	Variance %
Operating Revenue	610,085	620,020	319,335	319,393	57	0.0%
Operating Expenses	583,086	612,225	296,829	294,719	(2,111)	(0.7%)
Recurrent Capital Expenses	4,000	4,000	4,000	5,288	1,288	32.2%
Operating Result	22,999	3,796	18,506	19,386	881	4.8%
Capital Revenue	133,167	154,201	31,589	31,589	-	-
Non-recurrent Expenses	2,982	2,982	1,491	2,613	1,122	75.3%
Net Result	153,185	155,016	48,604	48,363	(242)	(0.5%)

Operating Revenue



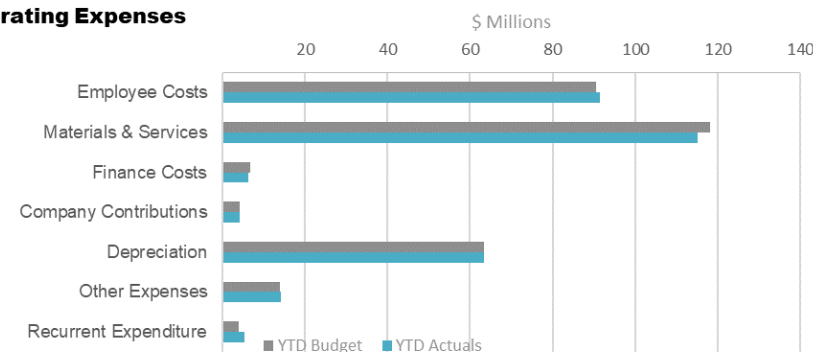
Operating Result - Expenses

\$300 million in operating expenses has been incurred which is \$823,000 (0.3%) higher than budget

- Materials and Services under budget \$2.9 million (2.4%)
 - Contracts \$1.6 million under budget
Waste, Digital and Information Services, Solar Farm
- Levy Projects \$911,000 under budget
Environment Levy and Transport Levy
- Employee costs above budget \$925,000 (1.0%)
 - Vacancy Rate Target YTD \$3.9 million (4.1%)
 - Full Year Vacancy Rate Target \$8.1 million (4.1%)

Operating Summary			December 2024			
	Annual		YTD			
	Original Budget \$000s	Current Budget \$000s	Current Budget \$000s	Actuals \$000s	Variance \$000s	Variance %
Operating Revenue	610,085	620,020	319,335	319,393	57	0.0%
Operating Expenses	583,086	612,225	296,829	294,719	(2,111)	(0.7%)
Recurrent Capital Expenses	4,000	4,000	4,000	5,288	1,288	32.2%
Operating Result	22,999	3,796	18,506	19,386	881	4.8%
Capital Revenue	133,167	154,201	31,589	31,589	-	-
Non-recurrent Expenses	2,982	2,982	1,491	2,613	1,122	75.3%
Net Result	153,185	155,016	48,604	48,363	(242)	(0.5%)

Operating Expenses



Capital Expenditure

\$129.3 million (49.7%) of Council's \$260.1 million total capital works budget has been expensed.

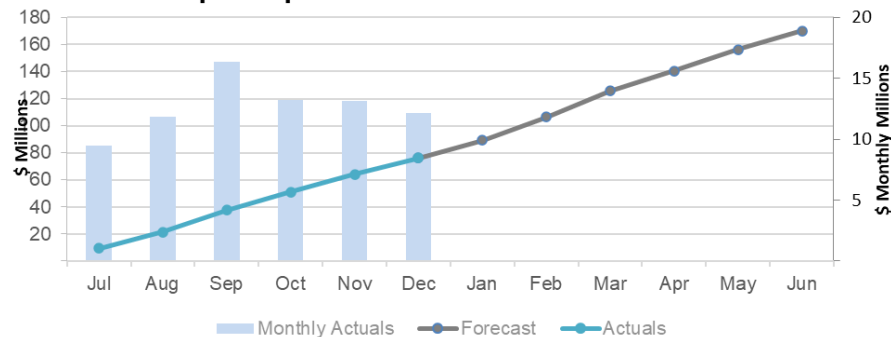
This is compared to the same period last year with \$150 million (45.1%) expensed of Council's \$332 million total capital works budget.

The Core Capital Program has expensed \$76.2 million, 50% of budget.

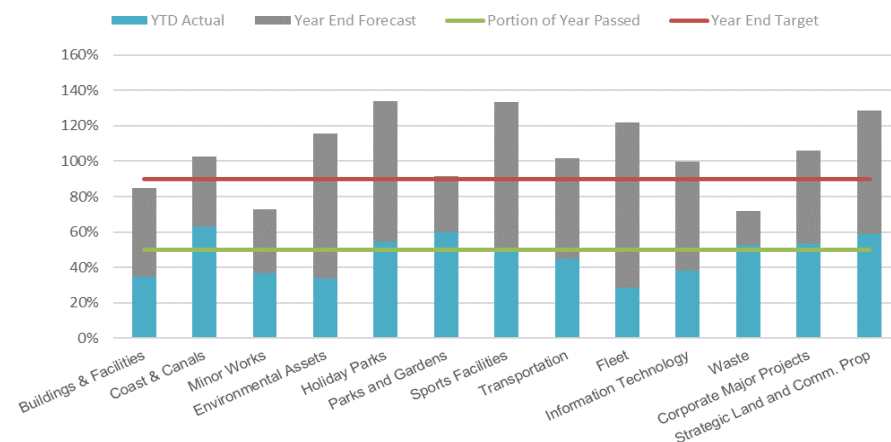
Capital Expenditure					December 2024	
	Annual		YTD		Year End	
	Original Budget \$000s	Current Budget \$000s	Actuals \$000s	% of FY Budget Spent	Forecast Year End Actual	Forecast Year End Variance to Budget
Core Capital Works Program						
Aerodromes	1,525	450	97	21.6%	659	209
Buildings and Facilities	28,286	19,735	6,815	34.5%	16,738	(2,997)
Coast and Canals	6,200	3,467	2,192	63.2%	3,559	93
Minor Works	5,862	7,479	2,742	36.7%	5,441	(2,038)
Environmental Assets	4,120	3,288	1,109	33.7%	3,798	509
Holiday Parks	2,881	2,807	1,531	54.5%	3,756	949
Parks and Gardens	10,480	9,600	5,752	59.9%	8,771	(829)
Sports Facilities	20,738	21,480	10,677	49.7%	28,641	7,161
Stormwater	14,318	11,300	6,180	54.7%	10,338	(962)
Transportation	99,213	87,132	39,102	44.9%	88,369	1,237
Deliverability Factor		(14,353)				
Total SCC Core Capital Program	193,624	152,385	76,198	50.0%	170,071	3,333
Disaster Recovery Funding Arrangements	4,590	13,947	4,892	35.1%	8,347	(5,599)
Fleet	3,500	3,583	1,015	28.3%	4,359	777
Information Technology	10,000	10,680	4,067	38.1%	10,672	(8)
Waste	12,882	23,978	12,574	52.4%	17,202	(6,776)
Corporate Major Projects	39,730	39,616	21,208	53.5%	41,944	2,328
Strategic Land and Commercial Properties	18,992	15,932	9,356	58.7%	20,508	4,576
Total Other Capital Program	89,694	107,735	53,112	49.3%	103,033	(4,702)
SCC Total Capital Works Program	283,318	260,120	129,310	49.7%	273,104	(1,368)

Capital Expenditure

SCC Core Capital Expenditure



% YTD spent compared to profiled budget by Program



Building and Facilities

Program YTD spend at 35% of total budget. Current year end forecast at 87%. 84% of Projects fall below the year-to-date spend benchmark of 50%.

Parks and Gardens

Program YTD spend at 59.9% of total budget. Current year end forecast at 96%. Coastal Pathway 73% YTD spend. Recreation Park and Landscape Amenity Sub-Program 51% YTD spend.

Sports Facilities

Program YTD spend at 49% of total budget. Honey Farm Sports & Rec Precinct 53% YTD spend.

Stormwater

Program YTD spend at 54.7% of total budget. Current year end forecast at 91%. 45% of Projects fall below the year-to-date spend benchmark of 50%.

Transportation

Program YTD spend at 44.9% of total budget. Bus Stop Program 49.8% spend YTD. Road Resurfacing 44.6% spend YTD.

Strategic Land and Commercial Properties.

Program YTD spend at 58.7% of total budget.

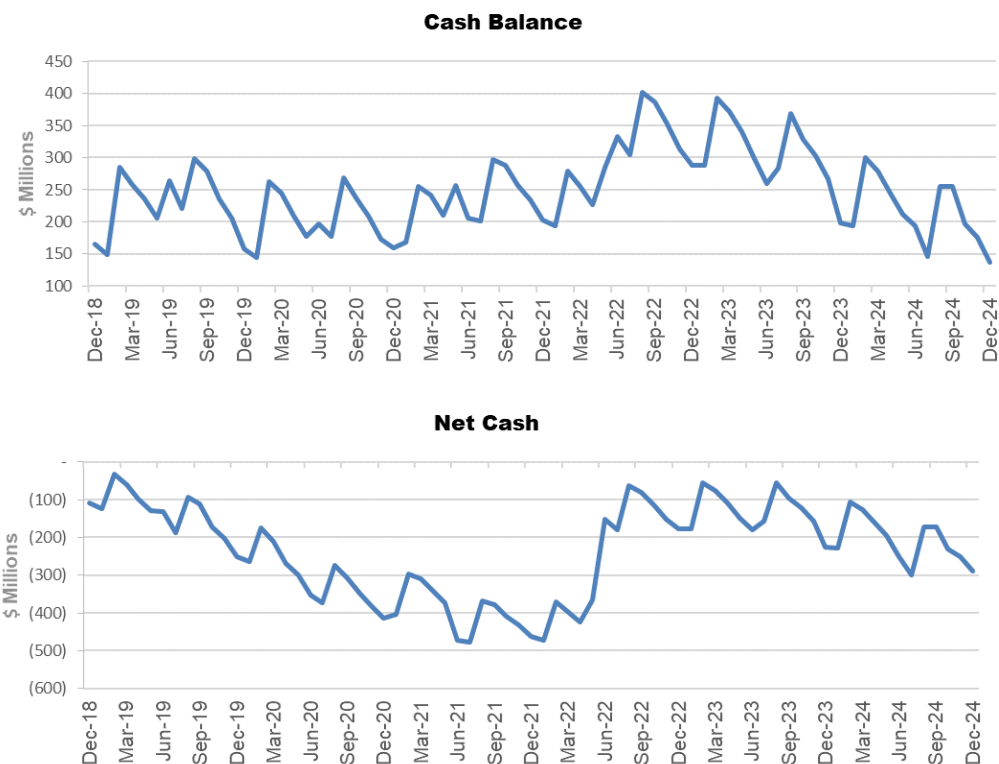
Disaster Recovery Funding Arrangements

Program YTD spend at 35.1% of total budget. Council have requested an extension of time for delivery for Buderim Tramway Landslide and Trail Repair and David Low Way Landslip scheduled to be completed by 30 June 2025.

Cash Flows and Balance Sheet

- Cash balance at 31 December was \$139 million excluding Trust
- Debt balance at 31 December was \$433.8 million

Cash and Balance Sheet		December 2024	
	Current Full Year Budget \$000s	YTD Budget \$000s	YTD Actuals \$000s
CASH FLOWS			
Opening Cash	193,347	177,919	177,919
Net Cash Inflow/(Outflows) from:			
Operating Activities	78,916	41,469	41,957
Investing Activities	(87,477)	(72,956)	(68,262)
Financing Activities	(2,781)	(12,600)	(12,600)
Net Increase/(decrease) in Cash Held	(11,343)	(44,087)	(38,905)
Cash at year end	182,004	133,832	139,014
BALANCE SHEET			
Current Assets	262,164		
Non Current Assets	9,030,914		
Total Assets	9,293,078		
Current Liabilities	190,056		
Non Current Liabilities	489,867		
Total Liabilities	679,923		
Net Community Assets/Total Community Equity	8,613,155		



Debt

Council's current debt balance is \$433.8 million.

During August, a debt repayment occurred reducing the debt principal by \$12.6 million with the next debt repayment occurring in February.

Sunshine Coast Council's debt program is governed by the 2024-25 Debt Policy, which was adopted with the Original Budget adoption on 20 June 2024 and updated with Budget Review 2 on 12 December 2024.

New borrowings are undertaken in accordance with the Queensland Treasury Corporation Guidelines, the Statutory Bodies Financial Arrangements Act 1982 and Section 192 of the Local Government Regulation 2012.

Council's forecast borrowings for the 2024-25 financial year after budget review 2 have increased from \$20.3 million to \$23.2 million and relate to:

- \$21.2 million for Waste
- \$1.8 million for Holiday Parks
- \$288,000 for Caloundra Aerodrome Master Plan

Debt - 2024-25				
	Opening Balance	Debt Redemption	New Borrowings	Closing Balance
	\$000	\$000	\$000	\$000
Sunshine Coast Council Core	345,795	20,064	23,194	348,925
Maroochydore City Centre	100,213	5,784	-	94,429
Total	446,008	25,847	23,194	443,354



Investment Performance

At month end Council has \$139 million cash (excluding Trust funds), with an average interest rate of 4.9%, being 0.25% above benchmark. This is compared to the same period last year with \$200.8 million cash (excluding Trust funds) with an average interest rate of 5%, being 0.57% above benchmark.

The benchmark used to measure performance of cash funds is the Bloomberg AusBond Bank Bill Index (BAUBIL).

All investment parameters remain within the guidelines established by the Investment Policy.

Investment Performance - December 2024				
Liquidity as at:			31/12/2024	
	\$'000's			
At-call accounts				
QTC + CBA (excl. trust)	119,014	72.66%		
Maturities within 7 days	10,000	6.10%		
Total at-call	129,014	78.76%		
Investment Policy Target		10.00%		

Term deposits maturing:			31/12/2024	
	\$'000's			Count
within 30 days	20,000			2
30-59 days	-			-
60-89 days	-			-
90-179 days	-			-
180-364 days	-			-
1 year - 3 years	-			-
Total	20,000			2

INVESTMENT SUMMARY (including Trust) as at:							Investment Policy	
	31/12/2024		30/09/2024		31/12/2023		Individual Limit	Group Limits
A1+ (QTC)	102,201	56%	145,263	52%	54,395	24.4%	100%	100%
A1+ (Other)	61,600	44%	134,879	48%	148,927	66.7%	100%	100%
A1	-	0%	-	0%	-	0.0%	60%	100%
A2	-	0%	-	0%	20,000	9.0%	60%	90%
A3	-	0%	-	0%	-	0.0%	10%	30%
Total Funds	163,801		280,142		223,322			
FUND SUMMARY								
General Funds	139,014		255,197		200,823			
Trust Funds	24,787		24,945		22,500			
Total Funds	163,801		280,142		223,322			

Risks

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.

The following items need continued attention:

- The achievement of revenue targets
- The delivery of the \$9.9 million in savings initiatives included in the operating result, of which \$8.1 million is 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.

Thanks for your time



sunshinecoast.qld.gov.au

2024-25 Financial Year Grant Funding							
	Description	Division	Suburb	Estimated Construction Start Month	Construction Completed Month	TOTAL Grant Revenue \$'000	Project Expenditure to date \$'000
Federal Government						(\$10,098)	\$9,464
1	Roads to Recovery Program					(\$4,800)	
Local Road and Community Infrastructure Grant Funding - Round 4						(\$4,898)	\$8,553
2	H3732 - Oval Avenue and Gosling St Upgrade	Division 02	Caloundra	July 2024	June 2026	(\$1,758)	\$2,051
3	H5683 - LRCIP4 Venue 114 - Stage 1 Solar Install	Division 03	Bokarina	February 2024	September 2024	(\$200)	\$1,797
4	H7797 - LRCIP4 Kawana Waters Regional Aquatic Centre	Division 03	Bokarina	March 2023	June 2025	(\$347)	\$2,699
5	K3827 - LRCIP4 Charles Clarke Park Revetment Wall	Division 04	Mooloolaba	February 2024	September 2024	(\$500)	\$551
6	H4607 - LRCIP4 Maple Street - Maleny Streetscape	Division 05	Maleny	April 2025	August 2025	(\$600)	\$47
7	H7584 - LRCIP4 Mountain View Road Maleny Lookout	Division 05	Maleny	March 2024	August 2024	(\$500)	\$535
8	H2063 - LRCIP4 Power Memorial Park Renew Play Equipment	Division 08	Mudjimba	October 2024	November 2024	(\$98)	\$300
9	K4113 - LRCIP4 Lions and Norrie Job Coolum Park	Division 09	Coolum Beach	June 2024	October 2024	(\$500)	\$559
10	K3519 - LRCIP4 Nambour Yandina United Football Club	Division 10	Yandina		May 2024	(\$196)	\$1
11	K2901 - Solar System Replacement	Whole of Council				(\$200)	\$12
Local Road and Community Infrastructure Grant Funding - Round 3						(\$400)	\$911
12	K2732 - LRCIP3 WOR LED Streetlighting Upgrades	Whole of Council		July 2024	December 2024	(\$400)	\$911
State Government						(\$26,815)	\$12,328
13	Disaster Recovery Funding Arrangements					(\$15,498)	
Disaster Ready Fund - Round 1						(\$500)	\$0
14	H7884 - Mooloolaba Foreshore Central Meeting Place	Division 04	Mooloolaba			(\$500)	\$0
Blackspot Funding						(\$1,238)	\$159
15	K4895 - BlackSpot - Old Gympie Road Beerburum	Division 01	Beerburum			(\$500)	\$128
16	K6053 - BlackSpot Cotton Tree Area - Speed Reduction	Division 04	Maroochydore			(\$50)	\$0
17	K6054 - BlackSpot Sixth Ave Maroochydore - side street zebra crossings x 8	Division 04	Maroochydore			(\$350)	\$6
18	K3444 - BlackSpot Ilkley Road Ilkley	Division 05	Ilkley			(\$70)	\$12
19	K6056 - Blackspot - Mons Road Forest Glen	Division 07	Forest Glen			(\$268)	\$13
Community Sustainability Action Grant - Round 8						(\$14)	\$1
20	K7987 - Bankfoot House - Dairy Shingle Roof Renewal	Division 01	Glass House Mountains			(\$14)	\$1
Minor Infrastructure and Inclusive Facilities Fund						(\$474)	\$69
21	K7686 - MSSWP2 - Ocean View Avenue and Palm Drive	Division 04	Mooloolaba	April 2025	April 2025	(\$112)	\$18
22	K7687 - MSSWP3 - Meta Street and Douglas Street	Division 04	Mooloolaba	March 2025	April 2025	(\$112)	\$25
23	K7596 - Maleny Skate Park Upgrade Phase 2	Division 05	Maleny	March 2025	June 2025	(\$250)	\$26
Minor Infrastructure Program						(\$125)	\$1,041
24	H3892 - Lions-Norrie Job Park, Coolum Landscape Plan	Division 09	Coolum Beach			(\$125)	\$1,041
Queensland Transport Cycle Network Program						(\$2,665)	\$7,881
25	K2705 - Coastal Pathway BA 233 to 229 Warana	Division 04	Warana			(\$575)	\$422
26	H3839 - LGIP Stringybark Rd Footbridge-Pathway	Division 07	Sippy Downs			(\$1,400)	\$7,422
27	H8416 - Emu Mountain Road Pathway Construction	Division 09	Coolum Beach			(\$690)	\$36
2022-24 Local Government Grants and Subsidies Program						(\$98)	\$169
28	H5637 - Caloundra Headland Coastal Pathway	Division 02	Kings Beach	September 2023	July 2024	(\$98)	\$169
Walking Network Plans						(\$36)	\$0
29	K3037 - Walking Network Plans	Whole of Council				(\$36)	\$0
30 Passenger Transport Accessible Infrastructure Program						(\$422)	
School Transport Infrastructure Program						(\$821)	\$320
31	K7471 - STIP - Landsborough State School - Pathway	Division 01	Landsborough	September 2024	September 2024	(\$492)	\$247
32	K7376 - STIP - Brightwater State School Dianella Drive Raised Pedestrian Crossing	Division 06	Mountain Creek	December 2024	December 2024	(\$300)	\$43
33	K7377 - STIP - Good Samaritan Catholic College	Division 09	Bli Bli	December 2024	December 2024	(\$29)	\$30
South East Queensland Community Stimulus Program						(\$3,160)	\$1,984
34	K2914 - Beerwah Cemetery entrance feature and carparking	Division 01	Beerwah			(\$310)	\$1
35	K6414 - Khancoban Drive Park - District Park Development	Division 06	Buderim			(\$250)	\$25
36	K7394 - Albany Lakes Park - Public Amenity	Division 06	Sippy Downs			(\$400)	\$6
37	H5133 - South Coolum Road Coolum New Pathway	Division 08	Coolum Beach			(\$250)	\$26
38	K7568 - Sundew Street MUDJIMBA - East Section kerb and channel	Division 08	Mudjimba	April 2025	July 2025	(\$800)	\$18
39	K3347 - SEQCSP Lions Norrie Job Park Coolum Pump Track	Division 09	Coolum Beach			(\$550)	\$12
40	H4605 - SEQCSP Eumundi Town Centre Placemaking	Division 10	Eumundi	August 2024	May 2025	(\$600)	\$1,896
Transport Infrastructure Development Scheme						(\$1,764)	\$706
41	H4613 - Cotton Tree Precinct Improvements	Division 04	Maroochydore	March 2025	March 2025	(\$150)	\$0
42	K1771 - Petrie Creek Road Shoulder Widening from Paynters Creek Road to Celestine Place	Division 07	Rosemount	April 2025		(\$457)	\$161
43	K1719 - Ridgeview Drive and Havana Road West Junction - Raised Zebra Crossing	Division 09	Peregian Springs			(\$132)	\$33
44	H9072 - North Arm Yandina Creek Road Seal Widening	Division 09	Yandina Creek	November 2024	May 2025	(\$1,025)	\$511
Project Complete							

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:	<i>Our outstanding organisation</i>
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:	<i>Our outstanding organisation</i>
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

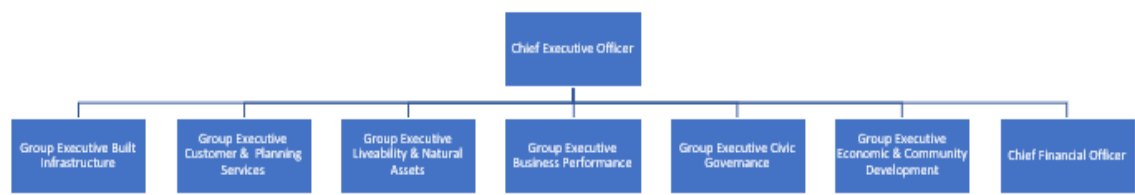
The proposed amendment to the organisational structure is primarily focused on the internal operations of Council, and specifically the Executive Leadership Team. External consultation was not considered necessary.

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