

Minutes Appendices

Ordinary Meeting

Thursday, 30 January 2025

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Minutes

Ordinary Meeting

Thursday, 12 December 2024

Sunshine Coast City Hall Chamber, 54 First Avenue, Maroochydore



ORDINARY MEETING MINUTES

12 DECEMBER 2024

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Please Note: The resolutions as shown in italics throughout these minutes are the resolutions carried by the Council.

ORDINARY MEETING MINUTES

12 DECEMBER 2024

1 DECLARATION OF OPENING

The Chair declared the meeting open at 9:00am.

2 WELCOME AND OPENING

Councillor J Broderick acknowledged the Traditional Custodians of the land on which the meeting took place.

Pastor Phil Bignill from Little Mountain Church of Christ provided a blessing.

Group Executive Liveability and Natural Assets, Bill Haddrill, acknowledged the recent passing of former Council employee, Ross Ullman.

3 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE

COUNCILLORS

Councillor R Natoli	Mayor (Chair)
Councillor J Broderick	Division 1
Councillor T Landsberg	Division 2
Councillor T Burns	Division 3
Councillor J Natoli	Division 4
Councillor W Johnston OAM	Division 5
Councillor C Dickson	Division 6
Councillor E Hungerford	Division 7
Councillor T Bunnag	Division 8
Councillor M Suarez	Division 9 (Deputy Mayor)
Councillor D Law	Division 10

COUNCIL OFFICERS

Acting Chief Executive Officer
Acting Group Executive Built Infrastructure
Acting Group Executive Business Performance
Acting Group Executive Civic Governance
Acting Group Executive Customer and Planning Services
Group Executive Economic and Community Development
Group Executive Liveability and Natural Assets
Coordinator Meeting Management
Development Planner
Principal Development Engineer (Hydraulics)
Coordinator Biodiversity & Waterways
Coordinator Cemetery Services
Chief Financial Officer
Manager Audit, Assurance and Risk Advisory Services
Acting Manager Governance and Executive Services
Manager Leasing & Land Management
Senior Property Officer

ORDINARY MEETING MINUTES

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4 RECEIPT AND CONFIRMATION OF MINUTES

Council Resolution

Moved: Councillor C Dickson

Seconded: Councillor J Natoli

That the Minutes of the Ordinary Meeting held on 21 November 2024 be received and confirmed.

Carried unanimously.

5 MAYORAL MINUTE

NIL

ORDINARY MEETING MINUTES

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6 INFORMING OF CONFLICTS OF INTEREST

6.1 PRESCRIBED CONFLICTS OF INTEREST

NIL

6.2 DECLARABLE CONFLICTS OF INTEREST

NIL

ORDINARY MEETING MINUTES

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7 PRESENTATIONS / COUNCILLOR REPORTS

7.1 PRESENTATION - BRANDENBURG ROAD SEAL WIDENING PROJECT -
PROJECTS UNDER \$2 MILLION

Council Resolution

Moved: Councillor W Johnston

Seconded: Councillor C Dickson

That Council recognise the achievement of the Brandenburg Road Seal Widening Project winning the projects under \$2 million category at the 2024 Institute of Public Works Engineering Australasia- Queensland Northern Territory Excellence Awards.

Carried unanimously.

ORDINARY MEETING MINUTES

12 DECEMBER 2024

8 REPORTS DIRECT TO COUNCIL

8.1 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE TO ESTABLISH A CAR WASH - 211 SIPPY DOWNS DRIVE, SIPPY DOWNS

File No: MCU24/0136
Author: Development Planner
 Customer & Planning Services Group
Appendices: App A - Recommended Conditions of Approval
Attachments: Att 1 - Detailed Assessment Report
 Att 2 - Proposal Plans

Council Resolution (OM24/120)

Moved: Councillor C Dickson
Seconded: Councillor J Natoli

That Council:

- (a) receive and note the report titled "Development Application for a Material Change of Use to establish a Car Wash - 211 Sippy Downs Drive, Sippy Downs " and
- (b) APPROVE Application No. MCU24/0136 for a Development Permit for Material Change of Use of Premises to Establish a Car Wash, subject to the imposition of reasonable and relevant conditions in Appendix A as amended namely Amend Condition 20 to:

The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an operational works approval and the Queensland Urban Drainage Manual, and must include in particular:

- (a) The works described in Section 6 of the Stormwater Management Report listed in this development approval, as varied by the following:
 - (i) the detention tanks and associated outlets sized in accordance with Section 4.3 of the Sunshine Coast Council Flooding and Stormwater Management Guidelines, using either the deemed to comply volumes, or the detailed sizing methodology including detailed calculations provided in conjunction with the first operational works application associated with this development approval; and,
 - (ii) a piped minor system stormwater from Lot 2 SP278406 to connect directly into the piped drainage system in Sippy Downs Drive.
- (b) Extension of the site stormwater system to accommodate stormwater from Lot 2 SP278406, including registration of drainage easements.
- (c) The use of gravity stormwater drainage and not surcharge pits.

Carried unanimously.

ORDINARY MEETING MINUTES

12 DECEMBER 2024

8.2 SUNSHINE COAST BIODIVERSITY REPORT 2024

File No: Council Meetings

Author: Coordinator Biodiversity & Waterways
Liveability & Natural Assets Group

Attachments: Att 1 - Sunshine Coast Biodiversity Report 2024

Council Resolution (OM24/121)

Moved: Councillor M Suarez

Seconded: Councillor T Burns

That Council:

- (a) *receive and note the report titled "Sunshine Coast Biodiversity Report 2024" and*
- (b) *note the Sunshine Coast Biodiversity Report 2024 for the purpose of promoting our biodiversity assets.*

Carried unanimously.

ORDINARY MEETING MINUTES

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8.3 KULANGOOR CEMETERY MASTER PLAN 2024

File No: Council Meetings
Author: Coordinator Cemetery Services
Customer & Planning Services Group
Appendices: App A - Kulangoor Cemetery Master Plan 2024
Attachments: Att 1 - Everlon Studio Kulangoor Master Plan Review 2023
Att 2 - Kulangoor Cemetery Master Plan Review 2023 - Identified
Amendments

Council Resolution (OM24/122)

Moved: Councillor D Law
Seconded: Councillor T Bunnag

That Council:

- (a) receive and note the report titled "Kulangoor Cemetery Master Plan 2024"
- (b) endorse the Kulangoor Cemetery Master Plan 2024 (Appendix A) and
- (c) acknowledge and thank the Community Reference Group and community members that have contributed to the development of the Kulangoor Master Plan 2024.

For: Councillor R Natoli, Councillor J Broderick, Councillor T Landsberg,
Councillor T Burns, Councillor J Natoli, Councillor C Dickson, Councillor E
Hungerford, Councillor T Bunnag, Councillor M Suarez and Councillor D
Law.

Against: Councillor W Johnston.

Carried.

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8.4 NOVEMBER 2024 FINANCIAL PERFORMANCE REPORT

File No: Council Meetings

Author: Coordinator Financial Services
Business Performance Group

Attachments: Att 1 - November 2024 Financial Performance Report
Att 2 - November 2024 Capital Grant Funded Project Report

Council Resolution (OM24/123)

Moved: Councillor E Hungerford

Seconded: Councillor J Broderick

That Council receive and note the report titled "November 2024 Financial Performance Report".

Carried unanimously.

ORDINARY MEETING MINUTES

12 DECEMBER 2024

8.5 BUDGET REVIEW 2

File No: Council Meetings

Author: Coordinator Financial Services
Business Performance Group

Appendices: App A - 2024-25 Amended Budget Financial Statements
App B - 2024-25 Amended Minor Capital Works Program

Council Resolution (OM24/124)

Moved: Councillor E Hungerford

Seconded: Councillor J Broderick

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).*

Carried unanimously.

ORDINARY MEETING MINUTES

12 DECEMBER 2024

Council Resolution

Moved: Councillor T Bunnag

Seconded: Councillor C Dickson

That Council grant Councillor E Hungerford an extension of time for five minutes to speak further to the motion.

Carried unanimously.

ORDINARY MEETING MINUTES

12 DECEMBER 2024

8.6 AUDIT COMMITTEE MEETING 25 NOVEMBER 2024

File No: Council Meetings

Author: Manager Audit, Assurance and Risk Advisory Services
Civic Governance

Appendices: App A - Minutes of the Audit Committee meeting of 25
November 2024

Council Resolution (OM24/125)

Moved: Councillor J Broderick

Seconded: Councillor E Hungerford

That Council:

- (a) receive and note the report titled "Audit Committee Meeting 25 November 2024" and
- (b) endorse the Minutes of the Audit Committee meeting of 25 November 2024 (Appendix A).

Carried unanimously.

ORDINARY MEETING MINUTES

12 DECEMBER 2024

8.7 APPOINTMENT OF INDEPENDENT AUDIT COMMITTEE MEMBER

File No: Council Meetings
Author: Manager Audit, Assurance and Risk Advisory Services
Civic Governance
Attachments: Att 1 - Recommended Candidate - *Confidential*
Att 2 - Audit Committee Charter

Council Resolution (OM24/126)

Moved: Councillor J Broderick
Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled "Appointment of Independent Audit Committee Member"*
- (b) *approve the appointment of the independent Audit Committee member as recommended, for a term of four years from and including 1 January 2025 and concluding on 31 December 2028 and*
- (c) *authorise the Chief Executive Officer to publicly release the name of the person appointed as a member of the Audit Committee, should Council endorse the recommendations in this report.*

Carried unanimously.

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12 DECEMBER 2024

8.8 AMENDMENT LOCAL LAW NO.1 (ANIMAL MANAGEMENT) 2024

File No: Council Meetings
Author: Acting Manager Governance and Executive Services
Civic Governance
Appendices: App A - Amendment Local Law No.1 (Animal Management) 2024
Attachments: Att 1 - Local Law No.2 (Animal Management) Tracked Changes

Council Resolution (OM24/127)

Moved: Councillor J Broderick
Seconded: Councillor E Hungerford

That Council:

- (a) *receive and note the report titled "Amendment Local Law No.1 (Animal Management) 2024"*
- (b) *resolve to make Amendment Local Law No. 1 (Animal Management) 2024 (Appendix A)*
- (c) *note the proposed amendments have been reviewed pursuant to section 38 of the Local Government Act 2009 (Qld) and the amendments do not contain anti-competitive provisions and*
- (d) *note there is no requirement for community consultation in this local law making process as Council is removing redundant provisions now covered by State government legislation (Animal Management (Cats and Dogs) Act 2008 (Qld)) and updating references to align to the State legislation.*

Carried unanimously.

ORDINARY MEETING MINUTES

12 DECEMBER 2024

8.9 AMENDMENT SUBORDINATE LOCAL LAW NO. 2 (ANIMAL MANAGEMENT) 2024

File No: Council Meetings

Author: Acting Manager Governance and Executive Services
Civic Governance

Appendices: App A - Amendment Subordinate Local Law No.2 (Animal Management) 2024

Council Resolution (OM24/128)

Moved: Councillor E Hungerford

Seconded: Councillor T Bunnag

That Council:

(a) *receive and note the report titled "Amendment Subordinate Local Law No. 2 (Animal Management) 2024" and*

(b) *resolve to make Amendment Local Law No. 2 (Animal Management) 2024 (Appendix A).*

For: Councillor R Natoli, Councillor J Broderick, Councillor T Landsberg,
Councillor T Burns, Councillor W Johnston, Councillor C Dickson,
Councillor E Hungerford and Councillor T Bunnag.

Against: Councillor J Natoli, Councillor M Suarez and Councillor D Law.

Carried.

ORDINARY MEETING MINUTES

12 DECEMBER 2024

8.10 LEASES TO VARIOUS COMMUNITY ORGANISATIONS SEEKING LONG TERM TENURE EXCEPTIONS

File No: F2024/72698

Author: Senior Property Officer
Business Performance Group

Attachments: Att 1 - Lease Area Plans
Att 2 - Maroochydore Beach Bowls Club - Business Case
Att 3 - Maleny Arts - Business Case
Att 4 - Caloundra Arts Business Case and Redevelopment Plan
Att 5 - Eagles Basketball Business Case and Redevelopment Plan

Council Resolution (OM24/129)

Moved: Councillor T Bunnag

Seconded: Councillor C Dickson

That Council:

- (a) *receive and note the report titled "Leases to various Community Organisations seeking long term tenure exceptions"*
- (b) *resolve that in accordance with section 236(1) of the Local Government Regulation 2012, that an exception to dispose of an interest in land (lease) other than by tender or auction applies as per section 236(1)(c)(iii) as these organisations are the existing Tenants of the land: -*
 - (i) *Maroochydore Beach Bowls Club Incorporated.*
 - (ii) *Caloundra Arts Centre Association Inc.*
 - (iii) *Dicky Beach Surf Life Saving Club Inc.*
 - (iv) *Kawana Waters Surf Life Saving Club Inc. and*
- (c) *resolve that in accordance with section 236(1) of the Local Government Regulation 2012, that an exception to dispose of an interest in land (lease) other than by tender or auction applies as per section 236(1)(b)(ii) as the leases are to a community organisation: -*
 - (i) *Maroochydore Eagles Basketball Association Inc. and*
 - (ii) *Maleny Arts and Crafts Group Inc.*

Carried unanimously.

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8.11 DISPOSAL (LEASE) TO BP AUSTRALIA PTY LTD OVER PART OF 14
CALOUNDRA ROAD, CALOUNDRA WEST

File No: 2015/00378
Author: Senior Property Officer
Business Performance Group
Attachments: Att 1 - Aerial Plan
Att 2 - Lease Area Plan
Att 3 - Confidential Proposed Terms for New Lease - *Confidential*

Council Resolution (OM24/130)

Moved: Councillor J Broderick
Seconded: Councillor T Burns

That Council:

- (a) *receive and note the report titled "Disposal (Lease) to BP Australia Pty Ltd over Part of 14 Caloundra Road, Caloundra West"*
- (b) *resolve that in accordance with section 236(2) of the Local Government Regulation 2012, that an exception to dispose of an interest in land (lease) other than by tender or auction applies as per section 236(1)(c)(iii) as BP Australia Pty Ltd an existing tenant of the land at 14 Caloundra Drive, Caloundra West and*
- (c) *authorise the Chief Executive Officer to publicly release details relating to the Lease once the negotiations have been finalised and the lease fully executed.*

Carried unanimously.

ORDINARY MEETING MINUTES

12 DECEMBER 2024

9 NOTIFIED MOTIONS

NIL

10 TABLING OF PETITIONS

10.1 PETITION - PROPOSAL FOR DOG OFF LEASH AREA CHARLSTON PLACE
TO MARTINS DRIVE, KULUIN

Council Resolution (OM24/131)

Moved: Councillor E Hungerford

Seconded: Councillor C Dickson

That the petition tabled by Councillor E Hungerford relating to the proposal for a Dog Off Leash Area at Charlston Place to Martins Drive, Kuluin, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

10.2 PETITION - REQUEST FOR TIMED PARKING AT FLINDERS LANE,
MAROOCHYDORE

Council Resolution (OM24/132)

Moved: Councillor T Bunnag

Seconded: Councillor J Natoli

That the petition tabled by Councillor T Bunnag relating to the request for timed parking at Flinders Lane, Maroochydore, be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

11 CONFIDENTIAL SESSION

NIL

ORDINARY MEETING MINUTES

12 DECEMBER 2024

Mayor R Natoli acknowledged and thanked, Debra Robinson, on behalf of Council for her exemplary service as Acting Chief Executive Officer and wished everyone all the best for the Christmas season and the new year of 2025.

12 NEXT MEETING

The next Ordinary Meeting will be held on 30 January 2025 in the Sunshine Coast City Hall Chamber, 54 First Avenue, Maroochydore

13 MEETING CLOSURE

The meeting closed at 1:18pm.

Confirmed 30 January 2025.



CHAIR

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 TLPs)

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**

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(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**

Sunshine Coast Planning Scheme 2014

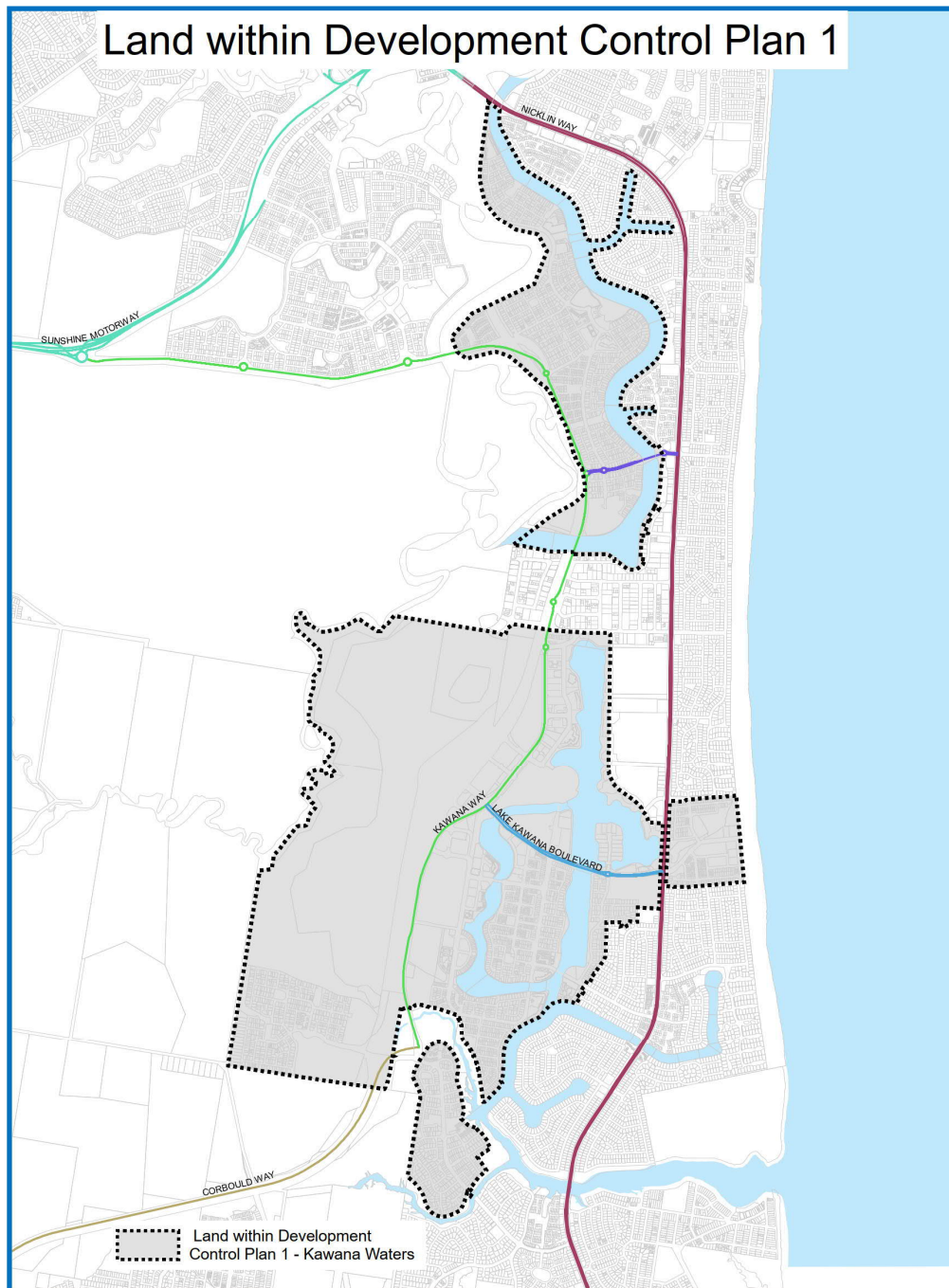
Column 1 Development Control Plan 1 Kawana Waters part and section	Column 2 Development Control Plan 1 Kawana Waters provision	Column 3 Effect of this temporary local planning instrument
	Section 4.10.2(n)(viii)(B) (Detailed Planning Area 13 (DPA 13) – Town Centre)	<i>Affect operation</i> as shown in 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
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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
Part A	Appendix 1 (Community Recreation & Open Space Model 1) – Precinct Parks	<i>Affect operation as shown in Appendix B</i>
	Appendix 1 (Community Recreation & Open Space Model 1) – Neighbourhood Parks	<i>Affect operation as shown in Appendix B</i>
Part B Maps	DCP 1 Map 4 (Population Thresholds)	<i>Suspend and affect operation DCP 1 Map 4 as included in Appendix B</i>
	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 DCP 1 Map 6 as included in Appendix B</i>
	DCP 1 Map 7 (Future Public Transport Corridor Lake Kawana Boulevard to Regional Hospital)	<i>Suspend and affect operation DCP 1 Map 7 as included in Appendix B</i>

**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

DCP 1 - KAWANA WATERS

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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

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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.

