

5.1.3 CONFIDENTIAL - NOT FOR PUBLIC RELEASE - ROUND 2A AMENDMENTS TO SUNSHINE COAST PLANNING SCHEME 2014

File No:	Statutory Meetings	
Author:	Principal Strategic Planner Planning and Environment Department	
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This report is confidential in accordance with section 275 (h) of the *Local Government Regulation 2012* as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

PURPOSE

The purpose of this report is to:

- present to Council the outcomes from the community consultation of the proposed Round 2A *Sunshine Coast Planning Scheme 2014 (Major Amendment) - Twin Waters West* (proposed planning scheme amendment); and
- seek Council's endorsement to proceed with the proposed planning scheme amendment, subject to changes, and to forward to the Planning Minister seeking approval to adopt the proposed planning scheme amendment.

EXECUTIVE SUMMARY

The proposed Round 2A *Sunshine Coast Planning Scheme 2014 (Major Amendment) - Twin Waters West* was placed on formal community consultation from 26 September to 7 November 2016.

During the community consultation period, Council received a total of 629 properly made submissions (including 3 petitions with 614 signatories) in relation to the proposed planning scheme amendment.

The key issues raised in submissions included the following:

- support for and against the proposed change in zone from the Rural zone to the Emerging community zone;
- requested changes to certain provisions within the proposed planning scheme amendment including density controls, open space calculations, buffering requirements, flood refuge requirements and building height for multi-unit residential uses;
- concern about:
 - the previous development application decision and Court Appeal;
 - inconsistency with State planning requirements;
 - development/filling in the floodplain and worsening of flooding impacts;

- impact on coastal processes and coastal resources;
- loss of green space, visual and environmental values;
- loss of habitat and impacts on wildlife;
- impact on traffic and local infrastructure;
- impact on Indigenous cultural heritage; and
- lack of community consultation.

It is considered that the majority of the concerns raised by submitters are appropriately addressed either by existing planning scheme provisions or by the content of the proposed planning scheme amendment.

Attachment 1 - Response to submissions: Twin Waters West, provides a summary of submissions and proposed responses and recommendations for all submissions received in relation to the amendment. Where possible, the responses to submissions have been addressed through a Key Issues Paper (refer to **Attachment 2 – Key Issues Paper: Twin Waters West**). It is proposed that each submitter will receive an individual response to their submission although the majority of responses will refer directly to the Key Issues Paper.

Having considered all properly made submissions, the following changes are recommended to the publicly notified version of the proposed planning scheme amendment:

- reduce the minimum lot size from 500m² to 400m² and limit the proportion of lots less than 500m² to 12% of the total number of lots;
- include a maximum density of 12 lots per hectare for low density residential uses;
- include a maximum density of 40 dwellings per hectare for multi-unit residential uses up to a maximum of 15% of the net developable area;
- include a requirement for transport infrastructure to be designed to reflect the amenity and character of the existing Twin Waters community (including the provision of generous verge widths);
- clarify that the quantum of open space includes all walkable waterfront areas, linear parks, conservation areas and buffers;
- include a provision relating to the management of coastal hazards and coastal processes to protect land vulnerable to coastal erosion and tidal inundation;
- specify that the minimum 150 metre buffer width to the Maroochy River is to be measured from the Highest Astronomical Tide and that some buffer areas may accommodate linear open space;
- require a consistent minimum buffer width of 40 metres along the full frontage of the Twin Waters West land to the Sunshine Motorway and the proposed Dedicated CAMCOS corridor;
- include reference to buffers and separation areas to the Sunshine Motorway and the proposed Dedicated CAMCOS corridor to be designed in manner which does not compromise appropriate flood solutions; and
- amend the Height of buildings and structures overlay map to provide for a maximum height of 12 metres to be allowable in certain parts of the Emerging community zone (Twin Waters West) to accommodate multi-unit residential uses, where nominated on an approved plan of development.

Attachment 3 - Explanatory Memorandum: Proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) – Twin Waters West and **Attachment 4 - Amendment Instrument: Proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) – Twin Waters West** provide details on the changes to the proposed planning scheme amendment.

The changes to the proposed planning scheme amendment are not considered to make the proposed amendment significantly different to the version that was placed on public

consultation and therefore do not require re-notification. The proposed planning scheme amendment, with changes, will also remain in compliance with the *South East Queensland Regional Plan 2009-2031* and the *State Planning Policy*.

In accordance with *Statutory guideline 01/16: Making and amending local planning instruments*, it is recommended that Council proceed with the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) - Twin Waters West*, with changes, and seek the Planning Minister's approval for Council to adopt the proposed planning scheme amendment.

OFFICER RECOMMENDATION

That Council:

- (a) having considered all properly made submissions about the proposed **Round 2A Sunshine Coast Planning Scheme 2014 (Major Amendment) – Twin Waters West**, decide to proceed with the proposed planning scheme amendment, with changes
- (b) delegate authority to the Chief Executive Officer to make all decisions to progress the proposed Round 2A planning scheme amendment in accordance with the *Sustainable Planning Act 2009*, including authority to
 - (i) write to the Minister for Infrastructure and Planning seeking approval to adopt the proposed Round 2A planning scheme amendment
 - (ii) advise each person in writing who made a properly made submission about the proposed Round 2A planning scheme amendment, detailing how their submission has been dealt with
 - (iii) make terminology or other operational changes, where required, to align the proposed Round 2A planning scheme amendment with the *New Planning Act 2016* and
- (c) adopt the Round 2A planning scheme amendment, subject to receiving advice from the Minister for Infrastructure and Planning that Council may adopt the proposed **Sunshine Coast Planning Scheme 2014 (Major Amendment) – Twin Waters West**

FINANCE AND RESOURCING

There are sufficient funds allocated in the Planning and Environment Department 2016/2017 budget for undertaking amendments to the *Sunshine Coast Planning Scheme 2014*. If Council decides to proceed with the proposed planning scheme amendment, external costs related to public notices will be in the order of \$5,000 to adopt and commence the proposed planning scheme amendment.

CORPORATE PLAN

Corporate Plan Goal:	<i>A smart economy</i>
Outcome:	1.1 - Strong economic leadership, collaboration and identity
Operational Activity:	1.1.1.4 - Administer the Sunshine Coast Planning Scheme including progression of Council nominated investigations and priority amendments, responding to changes to Queensland's planning legislation and the two year review of the Planning Scheme

CONSULTATION

Portfolio Councillor Consultation

Council officers provided a briefing to the Portfolio Councillor, held on Wednesday 8 February 2017, on the outcomes of the community consultation of the proposed planning scheme amendment.

Internal Consultation

An overview of the submissions received during the community consultation period for the proposed planning scheme amendment and preliminary recommendations were discussed with Councillors at the Land Use Planning Workshop held on 13 February 2017.

A summary of the outcomes from this workshop relating to Twin Waters West, is as follows:

- Officer recommendations noted.
- Request that proposed planning scheme provisions related to road widths, density and lot sizes be reviewed to ensure any future development is compatible with the existing Twin Waters development.
- Request for investigation into desirability of walkable waterfront treatments and impacts on yield as well as Council future asset maintenance requirements.
- Consider opportunities for more medium density development in areas proximate to CAMCOS/Light rail alignment.
- Officer recommendations relating to amendment to be submitted to April Ordinary Meeting for Council consideration.

Consultation has also occurred with relevant internal officers from the following Branches within the Planning and Environment Department:

- Transport and Infrastructure Policy, in relation to flooding issues; and
- Environment and Sustainability Policy, in relation to buffer provisions and habitat and wildlife issues.

External Consultation

The proposed planning scheme amendment was sent to the Department of Local Government, Infrastructure and Planning for a first State interest review in late 2015. In July 2016, the Planning Minister advised that Council could publicly consult on the proposed planning scheme amendment, with no conditions.

If Council decides to proceed with the proposed planning scheme amendment, the amendment will need to be re-submitted to the Planning Minister to seek approval to adopt the amendment.

In response to the consideration of submissions received during the community consultation period for the proposed planning scheme amendment, Council officers have undertaken further consultation with the following external stakeholders:

- representatives from the Department of Transport and Main Roads and Department of Environment and Heritage Protection in relation to the proposed buffers to the Sunshine Motorway, proposed Dedicated CAMCOS Corridor and the Maroochy River; and
- **Stockland and their consultants in relation to flooding issues.**

Community Engagement

The proposed planning scheme amendment was subject to public consultation from 26 September to 7 November 2016.

The consultation and communication strategy implemented during the public consultation period, included:

- Notice placed in the Sunshine Coast Daily prior to the commencement of the public consultation period.
- Media statement issued prior to the commencement of the public consultation period, advising of the proposed planning scheme amendment.
- Notice published on Council's website and a copy placed at Council offices.
- Copy of the proposed planning scheme amendment (including a summary information sheet on the proposed planning scheme amendment) published on Council's website and made available for viewing at Council's offices.
- Letters sent to directly affected land owners and adjoining land owners advising of the proposed planning scheme amendment, including a summary information sheet about the proposed planning scheme amendment and public consultation period.
- Emails sent to the Twin Waters Residents' Association, Pacific Paradise Progress Association, North Shore Traders, Marcoola Community Group and Mudjimba Residents Association prior to the commencement of the public consultation period, advising of the proposed planning scheme amendment and inviting representatives to contact Council for a briefing. A further email was sent at the commencement of the public consultation period providing a copy of the Public Notice and summary information sheet. This initial contact was followed up with individual phone calls once the public consultation period commenced.
- Newsflash issued to all regular planning scheme users and community members that have previously expressed an interest in receiving information about planning and development matters.
- Briefings/meetings with community associations and land owners, including:
 - Twin Waters Residents' Association Executive (3 meetings);
 - Twin Waters Residents' Association General Meeting;
 - Stockland (3 meetings);
 - Pacific Paradise Progress Association (2 meetings);
 - Sunshine Coast Environment Council and Development Watch;
 - Public Meeting (Twin Waters); and
 - Individual landowners.
- Various phone, email and counter enquiries.

During the community consultation period, Council received 629 properly made submissions (including 3 petitions with 614 signatories) plus 2 late submissions, in relation to the proposed planning scheme amendment for Twin Waters West.

For each submission, a proposed response has been prepared, including a summary of the issues raised in the submission (refer to **Attachment 1 - Response to submissions: Twin Waters West**). Where possible, the responses to submissions have been addressed through a Key Issues Paper (refer to **Attachment 2 - Key Issues Paper: Twin Waters West**). It is proposed that each submitter will receive an individual response to their submission although the majority of responses will refer directly to the Key Issues Paper.

PROPOSAL

This report presents to Council the outcomes from the community consultation for the proposed Round 2A *Sunshine Coast Planning Scheme 2014 (Major Amendment) – Twin Waters West*.

Background

At a Special Meeting held on 12 October 2015, Council resolved to delegate authority to the Chief Executive Officer to progress a proposed planning scheme amendment in relation to Twin Waters West (Council Resolution SM15/24).

The proposed planning scheme amendment amends the zoning of the majority of the Twin Waters West land from the Rural zone to the Emerging community zone and includes the Twin Waters West land within the Maroochy North Shore Local plan code and inside the Urban Growth Management Boundary. The proposed planning scheme amendment also includes specific provisions in the Maroochy North Shore Local plan code to guide future development of the Twin Waters West land for residential purposes and consequential amendments to other parts of the planning scheme.

In accordance with Council resolution SM15/24, on 25 October 2015, a copy of the proposed planning scheme amendment was forwarded to the Planning Minister for consideration of state interests and to seek approval for Council to proceed to public consultation.

On 19 July 2016, Council received a letter from the Planning Minister advising that the proposed planning scheme amendment had been assessed against the *Sustainable Planning Act 2009* (SPA), the state interests contained in the *State Planning Policy* (SPP) and the *South East Queensland Regional Plan 2009-2031* (SEQ Regional Plan). The Planning Minister was satisfied that the state interests were appropriately reflected in the revised version of the proposed planning scheme amendment (issued to the Department on 16 June 2016) and that Council may proceed to publicly consult on the proposed planning scheme amendment, with no conditions.

In accordance with the Planning Minister's letter and Council resolution SM15/24, the proposed planning scheme amendment was placed on community consultation from 26 September to November 2016.

Outcomes of Community Consultation and Consideration of Issues

Council received a total of 629 properly made submissions (plus 2 late submissions) in relation to the proposed planning scheme amendment for Twin Waters West. Of the 629 submissions, 127 (20%) support the proposed planning scheme amendment and 502 (80%) oppose the proposed planning scheme amendment. Three of the submissions opposed to the proposed planning scheme amendment were petitions comprising a total of 614 signatories.

Of the 127 submissions in support of the proposed planning scheme amendment, 80 (63%) were pro-forma submissions, which also outlined support for the Twin Waters Residents' Association (TWRA) submission and advised that the TWRA had kept them well informed over an extended period.

Some individual submissions outlined that development of the Twin Waters West land would provide economic benefits to the area and additional housing opportunities for the North Shore locality. A small number of individual submissions in support, also raised some concern about traffic, access and flooding.

Of the 502 submissions opposed to the proposed planning scheme amendment, 443 (88%) were pro-forma submissions.

The pro-forma submissions primarily raised objections to:

- the change in zone from Rural to Emerging community, on the basis of visual and environmental impacts;
- filling in the Maroochy floodplain, on the basis that it would worsen the effects of flooding elsewhere;
- Council favouring an influential developer, particularly when the Sunshine Coast has adequate greenfield and infill sites to support future population growth;
- the assumption that the local community endorses the expansion of residential over the Twin Waters West land, in particular the assumption that the Twin Waters Residents' Association represents the local community view; and
- Council's disregard for the State's requirement that the Twin Waters West site be kept as a development-free buffer against future coastal inundation and erosion.

In addition to the above objections raised in the pro-forma submissions, the following additional key concerns were raised:

- contradicts Council's refusal of a previous development application and Court appeal;
- inconsistent with State planning requirements;
- concern about:
 - development/filling in the floodplain and worsening of flooding impacts;
 - impacts on coastal processes and coastal resources;
 - loss of green space and visual amenity;
 - loss of habitat and impacts on wildlife (e.g. kangaroos and wallum froglet);
 - an increase in traffic/congestion and impact on existing infrastructure
 - impacts on Indigenous cultural heritage; and
 - inadequate community consultation.

Attachment 1 - Response to submissions – Twin Waters West provides a summary of submissions and proposed responses and recommendations. The majority of submissions have been addressed through a Key Issues Paper (refer **Attachment 2 – Key Issues Paper: Twin Waters West**).

Consideration of the issues raised in submissions are summarised as follows:

- The proposed planning scheme amendment has been prepared, having regard to the issues raised in the Court Appeal. It is considered that the majority of these issues may be overcome by the inclusion of the Twin Waters West land in an urban residential zone and through a subsequent development assessment process.
- The proposed planning scheme amendment has also been prepared in accordance with State planning requirements (e.g. *South East Queensland Regional Plan 2009-2031* and the *State Planning Policy*). It is also considered that the relevant matters of state interest (as set out in the *State Planning Policy*) are appropriately reflected either in the existing planning scheme provisions or in the proposed planning scheme amendment and would be considered in further detail in the assessment process of any forthcoming development application. The proposed planning scheme amendment has also undergone a formal state interest review, whereby the Planning Minister advised Council in July 2016 that the state interests were appropriately reflected in the proposed planning scheme amendment.
- It is considered that the concerns raised by submitters, particularly in relation to flooding, coastal processes, visual amenity, habitat values and traffic are appropriately addressed either by existing planning scheme provisions (i.e. via the strategic framework and overlays) or by the content of the proposed planning scheme amendment (e.g. specific provisions relating to character and amenity; flooding; management of channels and waterbodies; protection, rehabilitation and buffering of ecologically important areas; traffic

and access; visual and acoustic screening). It is also acknowledged that a number of site development issues (e.g. filling, flooding, traffic and environmental values) will require more detailed assessment and the proposed planning scheme amendment provides that this work be undertaken as part of a future development application that would be subject to impact assessment (including a statutory public notification process).

- Preliminary flood investigation undertaken as part of the preparation of the proposed planning scheme amendment, provides a high degree of confidence that the Twin Waters West land has development potential with appropriate application of the Flood hazard overlay code and a suitable development concept. This conclusion was also shared by the experts who provided evidence to the Planning and Environment Court as part of the previous appeal process.
- The existing provisions in the planning scheme and the provisions in the proposed planning scheme amendment provide for the protection and buffering of ecologically important areas and other significant environmental areas (including the existing remnant vegetation in the central-eastern part of the Twin Waters West land and the adjacent Maroochy River Conservation Area and Maroochy River). Any future development proponent would also be required to address State and Federal environmental requirements (including any threatened flora and fauna species).
- Historically, the Twin Waters West land was vegetated and subsequently cleared for the purposes of growing sugar cane and other agricultural activities. During this period it is unlikely that kangaroos were present on the Twin Waters West land in high numbers. Since the land has ceased being used for sugar cane it has been maintained through slashing, which has provided an artificial grassland reportedly supporting an elevated number of kangaroos. If this land had been left unmaintained since the cessation of agricultural activities, it is likely that it would have naturally regenerated and over time replaced with woody vegetation, eventually lowering the kangaroo carrying capacity of the land. Under a development scenario, it is anticipated that the existing kangaroos will gradually disperse once development activity commences, either to the west to the cane lands and potentially east to the Twin Waters golf course. Some kangaroos may persist on the edge of the development utilising areas of native vegetation and available open space.

Consideration of Other Submissions

Council also received a submission from the Twin Waters Residents' Association (TWRA) and from Stockland, which outlined support for the proposed planning scheme amendment, but requested specific changes to certain provisions within the proposed planning scheme amendment, particularly in relation to development density, open space, buffers, flood refuge requirements and building heights.

Consideration of the requested changes are summarised as follows:

Development density

Stockland considered that the density provisions in the proposed planning scheme amendment were overly prescriptive and would result in a development that is not reflective of the character of the broader Twin Waters community and requested that the minimum lot size requirement of 500m² be reduced to 400m². It was also requested that an alternative measure be provided for the average lot size requirement of 700m² and to refer to a net residential density of 13 dwellings per hectare for low density residential uses and that a maximum density of 40 dwellings per hectare, for up to 20% of the total site area, be prescribed for multi-unit residential uses for the Twin Waters West land.

The submission from the TWRA acknowledged that the proposed planning scheme amendment has been drafted to fully accept the Conditions Precedent, which outlined that any development on the site should have the scale, facilities, character and amenity that are

at least equal to or better than the existing Twin Waters development. The TWRA was fully supportive of this intent but also acknowledged that future development on the Twin Waters West land, may not 'look' like the existing Twin Waters and that this would be an unrealistic expectation. The TWRA outlined support for Performance Outcome PO22, which reflected the intent, but had reservations about Acceptable Outcome AO22, which included lots size and density requirements, on the basis that it may impose unrealistic expectations. The TWRA also noted that there are lots in the existing Twin Waters community that are less than 500m² and therefore requested that this provision be reviewed provided that it enabled the achievement of the intent of the performance outcome.

In the submission from Stockland, it was outlined that the existing Twin Waters community has a density of approximately 11 dwellings per hectare and a minimum lot size of 403m² for low density residential uses. A further analysis of the existing Twin Waters community has identified that approximately 12% of the total number of low density residential lots are between 403m² and 500m² in size. Stockland also outlined that multi-unit residential development in the existing Twin Waters community occupies approximately 17% of the total developed area and that the Multi-unit residential uses code in the planning scheme prescribes a density range of between 30-50 equivalent dwellings per hectare for multi-unit residential uses in the Medium density residential zone.

In recognition of the residential densities, the proportion of low density residential lots less than 500m² and the proportion of multi-unit residential lots in the existing Twin Waters community, it is recommended that the proposed provisions in the Maroochy North Shore Local plan code for development in the Emerging community zone (Twin Waters West) (i.e. Acceptable Outcome AO22), are modified to:

- reduce the minimum lot size from 500m² to 400m² (reflective of the smallest lot in the existing Twin Waters community);
- limit the proportion of lots less than 500m² to 12% of the total number of low density residential lots (reflective of the proportion of lots less than 500m² in the existing Twin Waters community);
- include a maximum density of 12 lots per hectare (generally consistent with the density of low density residential uses in the existing Twin Waters community); and
- include a maximum density of 40 dwellings per hectare for multi-unit residential uses up to a maximum of 15% of the total developable area (consistent with the density range prescribed in the Multi-unit residential uses code of the planning scheme and generally consistent with the proportion of multi-unit residential uses in the existing Twin Waters community).

At the Land Use Planning Workshop held on Monday 13 February 2017, Council requested that the proposed planning scheme provisions in relation to density and lot sizes as well as road widths be strengthened to ensure any future development is compatible with the existing Twin Waters development. The above recommended changes are considered appropriate to facilitate a residential development on the Twin Waters West land that is comparable to the character of the existing Twin Waters community.

A comparison of transport corridor reserve widths in the existing Twin Waters community against current planning scheme requirements, indicates that the reserve widths of typically constructed roads in the existing Twin Waters community are comparable to the current planning scheme requirements (i.e. for Neighbourhood and Local Streets). However, some local streets in the existing Twin Waters community have wider verge widths than the minimum requirement in the planning scheme. The proposed planning scheme amendment includes specific provisions relating to subdivision layout and transport infrastructure to be designed with respect to the character of the adjoining Twin Waters community. It is recommended that further refinements are made to this provision to ensure transport

infrastructure is designed to reflect the amenity and character of the existing Twin Waters community, including the provision of generous verge widths.

Open space

The proposed planning scheme amendment requires development within the Emerging community zone (Twin Waters West) to provide 25% of the total site area as open space. In the submission from Stockland, it was requested that the open space quantum of 25% be further clarified and that it should either allow for the inclusion of waterbodies and waterways or include all walkable waterfront areas, conservation areas and associated buffer/rehabilitated areas.

It is acknowledged that further clarification is warranted and therefore it is recommended that the proposed provisions in the Maroochy North Shore Local plan code (i.e. Acceptable Outcome AO34) are amended to clarify that in addition to parks, the open space quantum of 25% may include all walkable waterfront areas, linear parks, conservation areas and buffers.

At the Land Use Planning Workshop held on Monday 13 February 2017, Council requested that the desirability of walkable waterfront treatments and impacts on yield as well as Council future asset maintenance requirements be further investigated. The proposed planning scheme amendment includes provisions which seek to provide a legible and permeable active transport network of walkable waterfronts as well as cycle and pedestrian links which connect with adjoining residential areas and other key pedestrian/cycle links (including the regional pedestrian/cycle path adjacent to the Sunshine Motorway). The proposed planning scheme amendment also includes provisions (i.e. Performance Outcome PO28), which requires development on the Twin Waters West land to provide for the ongoing maintenance and management of any constructed waterbody and associated infrastructure and takes into account the whole of life cycle costs and the provision of an ongoing funding source (i.e. sinking fund).

Buffers

The submission from Stockland requested that the southern buffer requirement to the Maroochy River be reduced from 150 metres to 50 metres on the basis that the 150 metre buffer does not reflect the on-ground values nor the setbacks identified on the Biodiversity, waterways and wetlands overlay. It was also outlined that, advice from the Department of Environment and Heritage Protection (DEHP) indicated that a setback of development needs to be established generally parallel with the present day shoreline and running generally along the edge of highpoints on the land. Stockland also requested that the term 'rehabilitated' referred to in Acceptable Outcome AO32.2 of the proposed planning scheme amendment be removed and that the provisions be changed to provide the opportunity for buffer areas to accommodate roads and linear open space where it can be demonstrated that it will not compromise the protection of retained vegetation.

The proposed planning scheme amendment requires development in the Emerging community zone (Twin Waters West) to provide a rehabilitated buffer with a minimum width of 150 metres measured from the southern boundary of Lot 3 on RP842858 (Acceptable Outcome AO35). The intent of the buffer is to provide for the protection, buffering, connection and rehabilitation of ecologically important areas (including the Maroochy River and the Maroochy River Conservation Area) and the protection of coastal processes and coastal resources. The proposed planning scheme amendment also identifies the majority of Lot 3 on RP842858 as a "Conservation and rehabilitation area" on Figure 7.2.18A (Maroochy North Shore Local Plan Elements), which is intended to be protected as a 'development free' area in response to State planning requirements, which identifies Lot 3 as an erosion prone area within a coastal management district.

Following consultation with the Environment and Sustainability Policy Branch, the requested minimum buffer width of 50 metres and the removal of the term 'rehabilitated' is not supported. It is concluded that a minimum buffer width of 150 metres is required to deliver hydrological, habitat and water quality outcomes and to provide for the management of coastal hazards and coastal processes (including the management of the erosion prone area within the coastal management district). It is also considered that the buffer needs to be of sufficient width that minimise sight lines through to the estuarine wetland vegetation (mangrove and saltmarsh vegetation) located to the south of the Twin Waters West land, as the mangrove and saltmarsh vegetation communities are highly susceptible to degradation from unmanaged public access. Any permitted access to these areas would need to be on formalised boardwalks. It is also considered that there is opportunity for some of the buffer areas to accommodate open space uses but not roads.

However, it is recommended that the southern buffer is measured from the Highest Astronomical Tide (HAT) rather than the southern property boundary of Lot 3 on RP842858. The HAT generally corresponds with the edge of the mapped estuarine wetland vegetation (mangroves and saltmarsh vegetation) and the measurement of the buffer from this feature is generally consistent with the advice from DEHP. It is also recommended that the provisions in the Maroochy North Shore Local plan code (i.e. Performance Outcome (PO35) and corresponding Acceptable Outcomes relating to buffers) are modified to include:

- reference to the management of coastal hazards and coastal processes to protect land vulnerable to coastal erosion and tidal inundation; and
- a Note outlining that some buffer areas may accommodate linear open space where it can be demonstrated that it will not compromise the protection of retained vegetation and the management of coastal hazards and coastal processes.

Stockland also considered that the 150 metre buffer along the southern frontage of the Twin Waters West land was derived from a superseded masterplan concept and it was requested that the entire buffer to the Sunshine Motorway and the proposed Dedicated CAMCOS corridor be reduced from 40-150 metres to 20 metres, on the basis that adequate visual separation and noise amelioration from the motorway can be achieved in this width.

The submission from the Twin Waters Residents' Association also raised concerns with certain provisions being derived from the outcome of a Court Appeal that referred to a specific development plan that is no longer relevant and that this may have unnecessary and onerous consequences for future development. In particular, the Twin Waters Residents' Association considered the buffer requirements to the existing vegetation and the buffer requirement for a tapered buffer zone to the south west of the site for "visual amenity" purposes as being excessive.

It is considered that there is some opportunity to reduce the 150 metre buffer requirement along the southern frontage of the Twin Waters West land. However, due to a level of uncertainty in relation to the proposed Dedicated CAMCOS corridor alignment, it is considered appropriate that a minimum buffer of 40 metres is maintained along the full frontage of the western boundary of the Twin Waters West land. This is to ensure development in the Emerging community zone (Twin Waters West) does not compromise the provision or operation of the proposed Dedicated CAMCOS corridor or State controlled roads (e.g. Sunshine Motorway) and provides for effective visual and acoustic separation and screening as well as the provision of a regional pedestrian and cycle path adjacent to the Sunshine Motorway and the proposed Dedicated CAMCOS corridor.

Flood refuge requirement

The proposed planning scheme amendment includes the requirement for development within the Emerging community zone to provide adequate flood immunity (including safe refuge) and emergency access arrangements. Both the Twin Waters Residents' Association and Stockland considered the 'safe refuge' requirement to be unnecessary and requested it to be removed.

This request is not supported on the basis that:

- the critical duration of flooding is not the same as flood warning times. When it becomes apparent that evacuation is necessary, it is likely that the evacuation route may already be compromised;
- local flooding of the local road network may still mean that offsite evacuation is unsafe or not without offsite consequences; and
- the traffic and accommodation requirements of offsite evacuation create an unnecessary burden for disaster managers and emergency services, which Council seeks to avoid.

It is therefore recommended that the safe refuge requirement is retained in the proposed planning scheme amendment.

Building height

Under the *Sunshine Coast Planning Scheme 2014*, a maximum building height of 8.5 metres applies to the Twin Waters West land as well as the majority of the existing Twin Waters community, with the exception of the medium density residential areas which have a maximum building height limit of 12 metres. This is depicted on the Height of buildings and structures overlay map OVM21H for the Maroochy North Shore Local plan area.

Stockland has requested that a comparable height limit of 12 metres be afforded to the Twin Waters West land, to facilitate development for multi-unit residential uses.

In consideration of the above, it is proposed to amend the Height of buildings and structures overlay map OVM21H to include a Site Specific Note, which provides for a maximum height of 12 metres to be allowable in certain parts of the Emerging community zone (Twin Waters West), to accommodate multi-unit residential uses, where nominated on an approved plan of development.

Summary of recommended changes to the proposed amendment

The following changes are recommended to the public consultation version of the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) – Twin Waters West*:

- change Acceptable Outcome (AO22) to:
 - reduce the minimum lot size from 500m² to 400m²;
 - limit the proportion of lots less than 500m² to 12% of the total number of low density residential lots;
 - include a maximum density of 12 lots per hectare; and
 - include a maximum density of 40 dwellings per hectare for multi-unit residential uses up to a maximum of 15% of the total developable area.
- change Acceptable Outcome (AO34) to clarify that the quantum of open space includes all walkable waterfront areas, linear parks, conservation areas and buffers;
- change Performance Outcome (PO31) to include the requirement for transport infrastructure to be designed to reflect the amenity and character of the existing Twin Waters community (including, but not limited to, the provision of generous verge widths);

- change Performance Outcome (PO35) to include reference to the management of coastal hazards and coastal processes to protect land vulnerable to coastal erosion and tidal inundation;
- change Acceptable Outcome (corresponding to PO35) to:
 - specify that the minimum 150 metre buffer to the Maroochy River is to be measured from the Highest Astronomical Tide; and
 - include a 'Note' that specifies that some buffer areas may accommodate linear open space where it can be demonstrated that it will not compromise the protection of retained vegetation and the management of coastal hazards and coastal processes;
- change Performance Outcome (PO36) to include a 'Note' relating to buffer and separation areas to the Sunshine Motorway and the proposed Dedicated CAMCOS to be designed in a manner which does not compromise flood solutions for the Twin Waters West land;
- change Acceptable Outcome (AO36) to retain a consistent minimum buffer width of 40 metres along the full western frontage of the Twin Waters West land; and
- change the Height of buildings and structure overlay map OVM21H to include a Site Specific Note relating to the Twin Waters West land, which provides for a maximum height of 12 metres to be allowable in certain parts of the Emerging community zone (Twin Waters West), to accommodate multi-unit residential uses, where nominated on an approved plan of development.

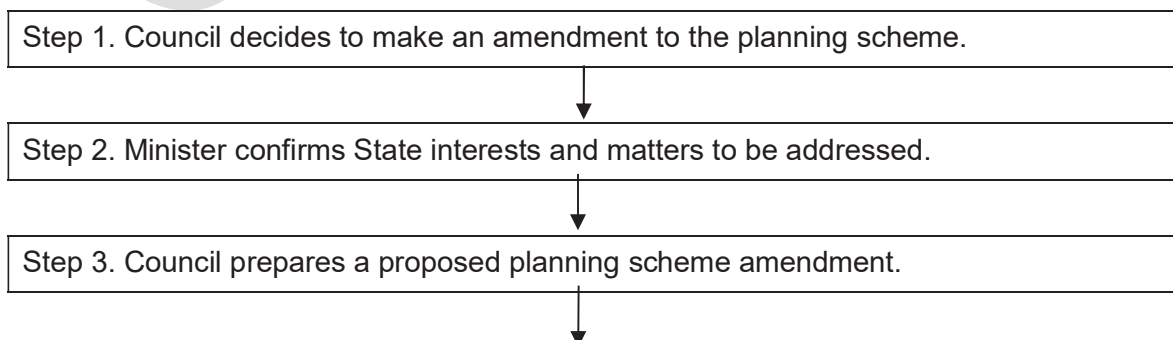
Attachment 3 - Explanatory Memorandum: Proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) – Twin Waters West and Attachment 4 - Amendment Instrument: Proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) – Twin Waters West provides details on the changes to the proposed planning scheme amendment.

The recommended changes to the proposed planning scheme amendment are considered appropriate to ensure that the form and structure of development in the Emerging community zone (Twin Waters West) is consistent with the character of the adjoining Twin Waters residential community and addresses all relevant matters.

Process for amending a planning scheme

Statutory guideline 01/16: Making and amending local planning instruments sets out the minimum requirements that local government must follow when making a proposed planning scheme amendment.

The proposed Round 2A planning scheme amendment constitutes a 'major amendment' under Section 2.3A of *Statutory guideline 01/16: Making and amending local planning instruments*. The process for undertaking a proposed 'major amendment' to a planning scheme involves the following steps, of which this report is for Council's consideration of Step 7:



Step 4. Council provides a copy of the proposed planning scheme amendment to the Minister for consideration of State interests.

Step 5. Minister undertakes State interest review and advises whether Council may proceed to publicly consult on the proposed planning scheme amendment with or without conditions. Council makes any changes necessary to the proposed planning scheme amendment to comply with the conditions imposed by the Minister.

Step 6. Council publicly notifies the proposed planning scheme amendment for a minimum of 30 business days.

Step 7. Council considers all properly made submissions on the proposed planning scheme amendment and decides whether to proceed with the proposed amendment with or without changes. If proceeding with the proposed planning scheme amendment, Council provides a copy of the proposed amendment to the Minister seeking approval for adoption.

Step 8. Minister advises whether Council may adopt the proposed planning scheme amendment, with or without any new conditions.

Step 9. Council makes necessary changes to the proposed planning scheme amendment to comply with any new condition imposed by the Minister and decides whether to adopt the proposed planning scheme amendment. Council's decision to adopt is announced and a revised version of the planning scheme incorporating the adopted amendment commences.

Conclusion

Having considered all submissions received, it is recommended that Council proceed with the proposed planning scheme amendment relating to Twin Waters West, with changes.

The recommended changes are not considered to make the proposed planning scheme amendment significantly different to the version that was placed on public consultation, such that Council can now proceed to seek the Planning Minister's approval for Council to adopt the proposed planning scheme amendment in accordance with *Statutory guideline 01/16: Making and amending local planning instruments*.

New Planning Act 2016

New planning legislation commences in Queensland on 3 July 2017. The new *Planning Act 2016* introduces new terminology, development assessment rules and categories of development and assessment. While chapter 8 of the Act provides for the legal transition of instruments and terminology, it is preferable to amend the *Sunshine Coast Planning Scheme 2014* to help ensure a seamless transition to, and interpretation of, new terminology. The Planning Minister has issued a specific process for an 'alignment amendment'. An alignment amendment does not contain any policy changes and does not need to be publicly notified. It

is intended to present an alignment amendment for the *Sunshine Coast Planning Scheme 2014* to Council for consideration in the coming months.

Given the proposed planning scheme amendment is likely to take effect after the commencement of the new Act on 3 July 2017, some changes may be required to the proposed planning scheme amendment to align with the new Act and the alignment amendment to the planning scheme. Any required changes are expected to be minor. To this end, delegation is sought for the Chief Executive Officer to make these changes prior to adoption and commencement of the amendment.

Legal

Statutory guideline 01/16: Making and amending local planning instruments sets out the process, under the *Sustainable Planning Act 2009*, that a local government must follow when making a planning scheme amendment. Where necessary, legal advice may be sought to provide drafting, procedural and general advice during the amendment process to ensure compliance with the Act and associated legislation.

Policy

The proposed planning scheme amendment aligns with Council's policy contained in the *Sunshine Coast Corporate Plan 2017-2021*, to implement the *Sunshine Coast Planning Scheme 2014* (including progression of priority amendments to the planning scheme).

Risk

The proposed planning scheme amendment involves changes to zoning and planning scheme provisions for the Twin Waters West land. There is a risk that Council's decision to proceed with the proposed planning scheme amendment may be of concern to some members of the community. However, the response to submissions has sought to address and respond to these concerns.

Previous Council Resolution

At the Special Meeting held on 12 October 2015, Council considered the proposed Round 2A *Sunshine Coast Planning Scheme 2014 (Major Amendment)* relating to Twin Waters West and resolved:

Council Resolution (SM15/24)

That Council delegate authority to the Chief Executive Officer to progress matters as discussed in confidential session in relation to the proposed Round 2A Amendments to the Sunshine Coast Planning Scheme 2014.

Related Documentation

The following documents relate to this report:

- *Sunshine Coast Planning Scheme 2014*
- *Sustainable Planning Act 2009*
- *Statutory guideline 01/16: Making and amending local planning instruments*

Critical Dates

There are no critical dates for the implementation of this amendment. However, there is a desire to progress and implement the proposed planning scheme amendment as soon as practicable.

Implementation

If Council decides to proceed with the proposed planning scheme amendment, with changes, the following actions will be required:

- (a) write to the Planning Minister seeking approval to adopt the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) – Twin Waters West* as included in **Attachment 3 - Explanatory Memorandum: Proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) – Twin Waters West** and **Attachment 4 - Amendment Instrument: Proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) – Twin Waters West** of this report;
- (b) provide a response to each person who made a properly made submission about the proposed planning scheme amendment, outlining how their submission has been dealt with; and
- (c) once approval is received from the Planning Minister, place an adoption notice in the Queensland Government Gazette and the Sunshine Coast Daily and prepare the amended planning scheme for commencement.



Proposed Sunshine Coast Planning Scheme 2014 (Major Amendment)

Twin Waters West

Review of Submissions

Key Issues Paper: Twin Waters West

No. of submissions: 629

Key issues raised in support:

- Reflects the Twin Waters Residents' Association Conditions Precedent
- Economic benefits
- Additional housing opportunities

Key issues raised in opposition:

- Contradicts Council's refusal of a previous development application and Court appeal
- Inconsistent with State planning requirements
- Development/filling in the floodplain and worsening of flooding impacts
- Impact on coastal processes and coastal resources
- Loss of green space and associated visual and environmental values
- Loss of habitat and impacts on wildlife
- Increased traffic/congestion and impacts on existing infrastructure
- Impact on Indigenous cultural heritage
- Inadequate community consultation

OVERVIEW OF PROPOSED PLANNING SCHEME AMENDMENT

The Twin Waters West land is currently included in the Rural zone under the *Sunshine Coast Planning Scheme 2014* and is located outside (but adjacent to) the Maroochy North Shore Local plan area and the Urban Growth Management Boundary.

The proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)* for Twin Waters West seeks to amend the zoning of the majority of the Twin Waters West land from the Rural zone to the Emerging community Zone and include the land within the Urban Growth Management Boundary and within the Maroochy North Shore Local plan area, to provide for the future development of this land for residential purposes (refer to **Figure 1**). The proposed planning scheme amendment also includes specific provisions in the Maroochy North Shore local plan code to guide future development within the Emerging community zone.

INTRODUCTION

The proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)* relating to Twin Waters West was placed on formal public consultation from 26 September to 7 November 2016.

During the public consultation period, Council received a total of 629 submissions. Approximately 20% of submissions were in support and 80% were opposed to the proposed planning scheme amendment.

Part A of this Paper provides a summary of submissions and considers the key issues raised. **Part B** of this Paper considers the matters raised by some individual submitters seeking specific changes to certain provisions in the proposed planning scheme amendment.

Figure 1: Area subject to proposed planning scheme amendment



PART A

SUMMARY OF SUBMISSIONS IN SUPPORT

Council received 127 submissions in support of the proposed planning scheme amendment.

Of the 127 submissions in support, 80 were pro-forma submissions. The pro-forma submissions:

- outlined support for the proposed planning scheme amendment;
- outlined support for the Twin Waters Residents' Association submission; and
- advised that the Twin Waters Residents' Association has kept the submitter well informed over an extended period.

Some individual submissions outlined that development of the Twin Waters West land would provide economic benefits to the area and additional housing opportunities for the North Shore locality.

A small number of individual submissions in support of the proposed amendment also raised some concern about traffic, access and flooding impacts.

SUMMARY OF SUBMISSIONS AGAINST

Council received 502 submissions (comprising 443 pro-forma letters and 3 petitions with a total of 614 signatories) in opposition to the proposed planning scheme amendment.

There were two different versions of pro-forma submissions received.

One version raised the following comments:

- *"objection to the change in zone from Rural to Emerging Community because this green space with its visual and environmental values should be retained;*
- *objection to the Maroochy flood plain being filled because this will worsen the effects of major flooding elsewhere;*
- *objection to Council favouring an influential developer, particularly when the Sunshine Coast already has adequate greenfield and infill sites to support future population growth;*
- *objection to the assumption that the local community endorses the expansion of the residential area over the Twin Waters West site. In particular strongly object to the assumption that the Twin Waters Residents Association represent the local community view; and*

- *objection to Council's disregard for the State's requirement that the Twin Waters West site be kept as a development-free buffer against future coastal inundation and erosion."*

The other pro-forma submission version raised the same comments as above, but also outlined:

- support for the proposal to change the zoning of a large part of the Coolum Industry Park from the High impact industry zone to the Medium impact industry zone; and
- support for Council's proposal to amend the planning scheme in relation to building heights at Section 3.8.3.1 (d), provided its purpose is to strengthen compliance with current height limits.

The comments made in relation to the Coolum Industry Park and the building height provisions relate to amendment items under a separate proposed planning scheme amendment for site specific and operational matters. The submissions in support of these proposed amendment items are noted and are being dealt with separately.

A number of pro-forma submissions in opposition also made a range of additional comments on the proposed planning scheme amendment for Twin Waters West, which generally related to:

- Council's decision to prepare a planning scheme amendment;
- loss of agricultural land;
- inconsistency with the South East Queensland Regional Plan and State Planning Policy;
- impact on Indigenous cultural heritage; and
- inadequate community consultation.

Individual submissions also included similar comments as provided in the pro-forma submissions.

A small number of submitters also expressed opposition to Council undertaking amendments to the planning scheme generally.

The following section responds to the key issues raised in submissions relating to the proposed planning scheme amendment for Twin Waters West, which are categorised as follows:

- Council's decision to prepare a proposed planning scheme amendment and inconsistency with State requirements;
- development/filling in the floodplain and worsening of flooding impacts;

- impacts on coastal processes and coastal resources;
- loss of green space and visual amenity;
- loss of habitat and impacts on wildlife;
- increase in traffic/congestion and impact on existing infrastructure;
- impacts on Indigenous cultural heritage; and
- inadequate community consultation.

CONSIDERATION OF KEY ISSUES

Council's decision to prepare a proposed planning scheme amendment and inconsistency with State requirements

Some submitters questioned why Council has prepared a proposed planning scheme amendment for the Twin Waters West land following Council's refusal of a previous development application and successfully defending the Court appeal. Some submitters also believed that the proposed planning scheme amendment was inconsistent with State planning requirements, particularly in relation to the *South East Queensland Regional Plan 2009-2031* and the *State Planning Policy*.

Council has prepared the proposed planning scheme amendment in response to representations seeking to include the Twin Waters West land within an urban residential zone via a proposed planning scheme amendment.

In preparing the proposed planning scheme amendment, Council has had regard to the issues raised in the Court appeal. It is considered that the majority of these issues can reasonably be overcome by the inclusion of the Twin Waters West land in an urban residential zone (e.g. issues relating to conflict with the planning scheme) and through a subsequent development assessment process (e.g. flooding and visual amenity issues). The proposed planning scheme amendment has also been drafted to include specific provisions in relation to these issues, in particular flooding, buffers, protection of ecologically important areas, access, density and character.

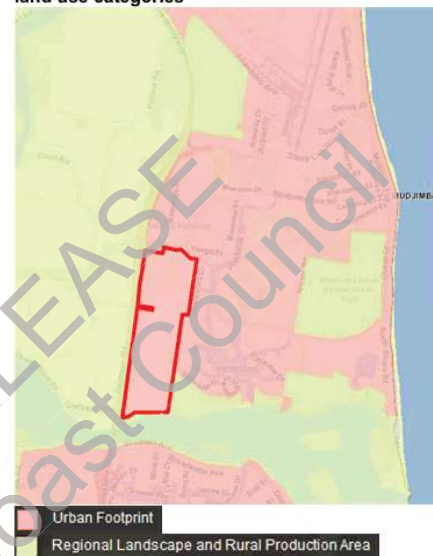
Council's interests relate solely to the potential suitability of the land for urban purposes at a strategic level, not who owns or intends to develop the land now or into the future. Council also has no firm view of the detailed design of any future development, except to the extent that it achieves the relevant development parameters as set by the planning scheme which are deemed to be in the public interest.

As outlined below, the proposed planning scheme amendment has also been prepared in accordance with the *South East Queensland Regional Plan 2009-2031* and the *State Planning Policy*.

SEQ Regional Plan

Under the *South East Queensland Regional Plan 2009-2031* (SEQ Regional Plan), the Twin Waters West land is included in the Urban Footprint (refer to **Figure 2**).

Figure 2: Extract of SEQ Regional Plan – Regional land use categories



The SEQ Regional Plan provides the framework for how urban growth will be managed in the region to 2031. It is the responsibility of Council, through its planning scheme, to establish and refine the desired use of land and the preferred timing of development within the Urban Footprint.

The draft *South East Queensland Regional Plan* (October 2016) also includes the Twin Waters West land in the Urban Footprint. A key difference between the current SEQ Regional Plan and the draft SEQ Regional Plan is the focus on better utilisation of areas in the urban footprint to accommodate projected population and employment growth and the requirement for local governments to investigate these areas for urban redevelopment opportunities.

During the preparation of Council's preliminary submission to the SEQ Regional Plan review, Council undertook a strategic review of

undeveloped land included in the SEQ Regional Plan's Urban Footprint. The Twin Waters West land was identified for potential inclusion in the *Sunshine Coast Planning Scheme 2014* Urban Growth Management Boundary given its strategic location close to the Maroochydore Principal Regional Activity Centre, access to existing infrastructure networks and being viewed as a logical extension to the existing community.

State Planning Policy

The *State Planning Policy* (SPP) sets out the policies around matters of State interest that a local government must consider and integrate when making or amending a planning scheme and may also apply in the assessment of development applications.

The matters of State interest that were considered to be potentially relevant to the proposed planning scheme amendment were detailed in the Explanatory Memorandum for the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) – Twin Waters West*, and included:

- the *SEQ Regional Plan 2009-2031* – Regional land use categories (Urban Footprint); and
- the *State Planning Policy* (April 2016) –
 - Planning for liveable communities and housing (housing supply and diversity);
 - Planning for economic growth (agriculture, development and construction);
 - Planning for the environment and heritage (biodiversity, coastal environment and cultural heritage);
 - Planning for safety and resilience to hazards (natural hazards, risk and resilience); and
 - Planning for infrastructure (state transport infrastructure).

It was considered that the relevant matters of State interest were appropriately reflected either in the existing *Sunshine Coast Planning Scheme 2014* (e.g. via the strategic framework and overlays), or in the proposed planning scheme amendment, and would be considered in further detail in the assessment process for any forthcoming development application.

In accordance with the *Sustainable Planning Act 2009* and *Statutory guideline 01/16 – Making and amending local planning instruments*, Council (in October 2015) sent a copy of the proposed planning scheme amendment to the Minister for Infrastructure, Local Government and Planning

(the Planning Minister) for formal consideration of State interests. In July 2016, the Planning Minister advised Council that the state interests were appropriately reflected in the proposed planning scheme amendment and that Council may proceed to public consultation, with no conditions.

Development/filling in the floodplain and worsening of flooding impacts

A range of concerns in respect to flooding were raised in submissions and generally included the following:

- history of the extent of flooding in the area;
- objection to development in the floodplain and loss of flood storage;
- concern about the impact of filling in the floodplain and the extent of filling required, including impacts on existing habitat areas;
- concern about the worsening of flooding impacts, particularly on nearby residents and surrounding area;
- flood modelling and the cumulative effect of new major drainage and earthworks in the area (including the drainage and earthworks associated with the construction of the new runway at Sunshine Coast Airport); and
- the likely effects of climate change and sea level rise as well as increasing severe weather events.

There is evidence of historic flooding over the Twin Waters West land and this is consistent with Council flood mapping that shows the Twin Waters West land significantly affected by flooding in the defined flood event (DFE). The planning scheme Flood hazard overlay code has provisions that require a proponent to demonstrate (as part of any future development application) that there will be no worsening of flood impacts. It also requires that climate change is considered in the development design (with allowance for sea level rise and increases in rainfall intensity).

The concerns raised in relation to filling in the floodplain, the cumulative effects of filling in other parts of the floodplain and worsening of flooding impacts, are acknowledged.

Council is confident, at a strategic level, that the Twin Waters West land has development potential with appropriate application of the Flood hazard overlay code. This conclusion was also shared by the experts who provided evidence to the Planning and Environment Court as part of the previous appeal. It is also considered that there are appropriate provisions in the existing

Sunshine Coast Planning Scheme 2014 and in the proposed planning scheme amendment that address flooding issues and would be considered in further detail in the assessment process for any forthcoming development application. A proponent will also be required to prepare a comprehensive flood impact assessment as part of any forthcoming development application and make this information available as part of the common material placed on public display for the development application.

Impact on coastal processes and coastal resources

Some submitters expressed concern about the impact of development on the Twin Waters West land on coastal processes and resources and that the proposed planning scheme amendment is inconsistent with State requirements that the Twin Waters West land be kept as a development-free buffer against future coastal inundation and erosion.

It is acknowledged that the Twin Waters West land is subject to State mapping, particularly in relation to Lot 3 on RP842858 at the southern extent of the Twin Waters West land, which is within the Coastal Management District and Erosion Prone Area.

The proposed planning scheme amendment includes specific provisions and identifies this southern area as a 'Conservation and rehabilitation area' in the Maroochy North Shore Local plan code, which is intended to be protected as a 'development free' area in accordance with State planning requirements. The extent of this area to be protected as a 'development free' area will be subject to further assessment and consultation with relevant State agencies as part of any future development application.

Development within the Emerging community zone is also assessed against all elements of the planning scheme which are relevant to the proposed development, including Overlay codes and Other development codes. The Flood hazard overlay code, the Biodiversity, waterways and wetlands overlay code and Stormwater management code include specific provisions that seek to protect the coastal environment (particularly in relation to ecologically important areas, waterways, wetlands, hydrological regimes, water quality, flood and storm tide inundation and constructed waterbodies).

Loss of green space and visual amenity

Some submitters expressed concern about the loss of green space with its visual and environmental values and suggested that the land should become a recreational park. Some submitters also raised concern about the loss of Good Quality Agricultural Land (GQAL).

It is acknowledged that the proposed conversion of the Twin Waters West land from an undeveloped rural landscape to residential will change the visual amenity and character of the area.

However, the proposed planning scheme amendment includes specific provisions in the Maroochy North Shore Local plan code for development in the Emerging community zone to provide a substantial landscape buffer along the full frontage of the site to the Sunshine Motorway and proposed Dedicated Public Transport Corridor (CAMCOS), in order to provide effective visual and acoustic screening. The proposed planning scheme amendment also requires development within the Emerging community zone to provide an open space network that meets the open space and recreational needs of residents and visitors and maximises public access to waterways.

It is also acknowledged that the Twin Waters West land is currently mapped as good quality agricultural land. However, it is considered that this land is isolated and fragmented from a broader area of good quality agricultural land on the western side of the Sunshine Motorway. In addition, it is considered that this land is significantly constrained for primary production due to its adjacency to established residential development.

Loss of habitat and impacts on wildlife

Submitters expressed concern that development on the Twin Waters West land would result in the loss of habitat (including the habitat areas associated with the Maroochy River and Maroochy River Conservation Area) and impact on wildlife (such as the swamp wallaby, eastern grey kangaroo, wallum froglet and rare water mouse).

The proposed planning scheme amendment includes specific provisions in the Maroochy North Shore Local plan code, which require that development in the Emerging community zone (Twin Waters West) provides for the protection and buffering of ecologically important areas and other significant environmental areas (including

the Maroochy River and the Maroochy River Conservation Area). This includes the protection of the existing remnant vegetation community in the central-eastern part of the Twin Waters West land and the provision of an enhanced linking corridor/buffer between this vegetation and the Maroochy River Conservation Area to the south.

Development on the Twin Waters West land is also subject to the Sunshine Coast Planning Scheme's Biodiversity, waterways and wetlands overlay code, which includes specific provisions relating to the protection and buffering of ecologically important areas and requirements for detailed ecological assessment and reporting. Any future development proponent would also be required to address State and Federal environmental requirements (including any threatened flora and fauna species on site and those species potentially indirectly impacted by the development).

A number of submitters were also particularly concerned about the kangaroo population that currently occupies the Twin Waters West land.

Historically, the Twin Waters West land was vegetated and subsequently cleared for the purposes of growing sugar cane and other agricultural activities. During this time, it is unlikely that kangaroos were present on the Twin Waters West land in high numbers. Since the land has ceased being used for sugar cane production, the land has been maintained by way of slashing which has provided an artificial grassland reportedly supporting an elevated number of kangaroos. If the land had been left unmaintained since the cessation of agricultural activities, it is highly likely the land would have started to naturally regenerate and over time the grassland would have been replaced with woody vegetation, eventually lowering the kangaroo carrying capacity of the land.

Under a development scenario, the Twin Waters West land is unlikely to support kangaroos in their current numbers. Some kangaroos may persist on the edge of the development utilising areas of native vegetation and available open space. It is anticipated that the majority of kangaroos on the land will gradually disperse once development activity commences, either to the west to the cane lands on the western side of the Sunshine Motorway and potentially east to the Twin Waters golf course area. Specific management responses for the current kangaroo population on the Twin Waters West land will be a matter for any future development application to address via ecological assessment and reporting.

Increase in traffic/congestion and impact on existing infrastructure

A number of submitters expressed concern about the increase in traffic that would be generated from development on the Twin Waters West land and how this would add to existing traffic congestion and impact on local infrastructure and amenities. Some submitters also raised concern about the potential local access at Esperance Drive/Stillwater Drive and impact on local traffic and nearby residents.

During the preparation of the proposed planning scheme amendment, preliminary consultation was carried out with relevant State agencies and internal officers in relation to preferred access arrangements for the Twin Waters West land and potential impacts on the safety and efficiency of the surrounding road networks (including State infrastructure and State transport corridors and networks, such as the David Low Way, Sunshine Motorway and the proposed Dedicated CAMCOS corridor).

Preliminary traffic modelling identified an upgrade of the existing Ocean Drive/David Low Way intersection to a four way roundabout as the preferred primary access arrangement for future development of the Twin Waters West land. It was also identified that modifications would be required to the Sunshine Motorway and David Low Way to manage traffic flows. Benefits of this arrangement include:

- provision of a separate access to the Twin Waters West land;
- increased safety and reduction in delays during peak periods; and
- provision of greater long term capacity of the road network.

In addition to the primary access arrangement, a local access via Esperance Drive/Stillwater Drive and Godfreys Road is required to achieve connectivity and improve accessibility between the existing Twin Waters community and future development of the Twin Waters West land. Both connections would also provide an alternative route for emergency access and Godfreys Road may also be utilised during the construction phase.

The proposed planning scheme amendment includes specific provisions that requires development on the Twin Waters West land to provide primary access from the David Low Way/Ocean Drive intersection and local access from the Esperance Drive/Stillwater Drive and via Godfreys Road and to be designed and located

to minimise traffic impacts on existing residential areas. Further detail in relation to these access arrangements would be considered as part of any forthcoming development application and will be subject to further community consultation.

Impact on Indigenous cultural heritage

Some submitters outlined that the Twin Waters West land has significant Aboriginal cultural heritage value to the Kabi Kabi Traditional Owners and that these values should be protected.

Indigenous cultural heritage is protected under the *Aboriginal Cultural Heritage Act 2003*. In accordance with this Act, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage ("the cultural heritage duty of care"). Therefore, the proponent of any future development application involving the Twin Waters West land will be bound by this duty of care.

Inadequate community consultation

Some submitters expressed concern about the community consultation process and felt that the local community should have been better informed.

Statutory Guideline 01/16 Making or amending local planning instruments prescribes the minimum requirements for public notification of a proposed major amendment to a planning scheme, which include a 30 business day consultation period and a public notice in the local paper.

Council has complied with, and exceeded the statutory requirements in this regard. In particular, the consultation and communication strategy implemented during the consultation period for the proposed planning scheme amendment, included:

- a notice placed in the Sunshine Coast Daily and at Council offices;
- a notice and a copy of the proposed planning scheme amendment (including a summary information sheet) published on Council's website;
- letters sent to land owners and adjoining land owners advising of the proposed planning scheme amendment, including a summary information sheet about the proposed amendment and public consultation period;
- emails sent to local community groups, including the Twin Waters Residents'

Association, Pacific Paradise Progress Association, North Shore Traders, Marcoola Community Group and Mudjimba Residents Association prior to the commencement of the public consultation period, advising of the proposed amendment and inviting representatives to contact Council for a briefing;

- newflash issued to registered planning scheme users and community members;
- briefings/meetings with community associations and land owners; and
- various phone, email and counter enquiries.

Further community consultation will also occur as part of any future development application.

SUMMARY

From a strategic planning perspective, the proposed planning scheme amendment is considered to be in the public interest when that interest is considered as a whole and appropriate weight is given to balancing the different relevant considerations.

The proposed planning scheme amendment has been informed by relevant technical assessments and it is considered that the concerns raised by submitters are appropriately addressed either by provisions of the existing *Sunshine Coast Planning Scheme 2014* (i.e. via the strategic framework and overlays) or by the content of the proposed planning scheme amendment itself. It is acknowledged that a number of site development issues will require more detailed assessment and the proposed planning scheme amendment provides that this work be undertaken as part of a future development application that would be subject to impact assessment (including a statutory public notification period).

RECOMMENDATION

That Council proceed with the proposed planning scheme amendment for Twin Waters West and that no changes are made to the proposed planning scheme amendment in response to the consideration of the above key issues.

Note—some changes are recommended to the proposed planning scheme amendment as a consequence of consideration of other submissions. These changes are detailed in **Part B** of this Paper.

PART B

CONSIDERATION OF OTHER SUBMISSIONS

Some individual submissions requested specific changes to certain provisions within the proposed planning scheme amendment, particularly in relation to:

- development density;
- open space;
- buffers;
- flood refuge requirement;
- building heights; and
- the Baptist Church site.

Each of these matters are discussed in turn below.

Development density

Some submitters considered that the density provisions in the proposed planning scheme amendment were overly prescriptive and would result in a development that is not reflective of the character of the broader Twin Waters community.

In particular, it was requested that the minimum lot size requirement of 500m² is reduced to 400m². It was also requested that an alternative measure is provided for the average lot size requirement of 700m² and to refer to a net residential density of 13 dwellings per hectare.

It was also requested that a maximum density of 40 dwellings per hectare, up to 20% of the total site area, is prescribed for the Twin Waters West land.

It is acknowledged that the existing Twin Waters community has a density of approximately 11 dwellings per hectare and a minimum lot size of 403m² for low density residential uses. A further analysis of the existing Twin Waters community has identified that approximately 12% of the total number of low density residential lots are between 403m² and 500m² in size.

It is also acknowledged that multi-unit residential development in the existing Twin Waters community occupies approximately 17% of the total developed area in Twin Waters. It is also noted that the Multi unit residential uses code in the planning scheme prescribes a density range of between 30-50 equivalent dwellings per hectare for multi-unit residential uses in the Medium density residential zone.

In recognition of the residential densities, the proportion of low density residential lots less than 500m² and the proportion of multi-unit residential lots in the existing Twin Waters community, it is recommended that the proposed provisions in the Maroochy North Shore Local plan code for development in the Emerging community zone (Twin Waters West) (i.e. Acceptable Outcome AO22), are modified to:

- reduce the minimum lot size from 500m² to 400m²;
- limit the proportion of lots less than 500m² to 12% of the total number of low density residential lots;
- include a maximum density of 12 lots per hectare; and
- include a maximum density of 40 dwellings per hectare for multi-unit residential uses up to a maximum of 15% of the net developable area.

The above recommended changes are considered appropriate to facilitate a residential development on the Twin Waters West land that is more consistent with the established low density residential character of the existing Twin Waters community.

Open space

The proposed planning scheme amendment requires development within the Emerging community zone (Twin Waters West) to provide 25% of the total site area as open space. It was requested that the open space quantum of 25% be further clarified and that it should either allow for the inclusion of waterbodies and waterways or include all walkable waterfront areas, conservation areas and associated buffer/rehabilitated areas.

It is agreed that further clarification is warranted and therefore it is recommended that the proposed provisions in the Maroochy North Shore Local plan code (i.e. Acceptable Outcome AO34) are amended to clarify that the open space quantum of 25% includes all walkable waterfront areas, linear parks, conservation areas and buffers.

Buffers

Some submitters requested that the term 'rehabilitated' in Acceptable Outcome AO35 of the proposed planning scheme amendment is removed and that the southern buffer requirement to the Maroochy River be reduced from 150 metres to 50 metres, on the basis that the 150 metre buffer does not reflect the on-

ground values nor the setbacks identified on the Biodiversity, waterways and wetlands overlay. It was also outlined that, advice from the Department of Environment and Heritage Protection (DEHP) indicated that a setback of development needs to be established generally parallel with the present day shoreline and running generally along the edge of highpoints on the land. It was also requested that provision is made for the opportunity for some buffers to accommodate roads and linear open space where it can be demonstrated that it will not compromise the protection of retained vegetation.

The proposed planning scheme amendment requires development in the Emerging community zone (Twin Waters West) to provide a rehabilitated buffer with a minimum width of 150 metres measured from the southern boundary of Lot 3 on RP842858 (Acceptable Outcome AO35). The proposed planning scheme amendment also identifies the majority of Lot 3 on RP842858 as a Conservation and rehabilitation area on Figure 7.2.18A (Maroochy North Shore Local Plan Elements), which is intended to be protected as a 'development free' area in response to State planning requirements relating to coastal inundation and erosion.

It is considered that a minimum buffer width of 150 metres is required to provide for the protection, buffering, connection and rehabilitation of ecologically important areas (including the Maroochy River and the Maroochy River Conservation Area) and the management of coastal hazards and coastal processes. It is also considered that the buffer needs to be of sufficient width that minimises sight lines through to the estuarine wetland vegetation (mangrove and saltmarsh vegetation) located to the south of the Twin Waters West land, as the mangrove and saltmarsh vegetation communities are highly susceptible to degradation from unmanaged public access. It is also considered that there may be opportunity for some of the buffer areas to accommodate linear open space but not roads.

It is also considered appropriate that the southern buffer can be measured from the Highest Astronomical Tide (HAT) rather than the southern property boundary of Lot 3 on RP842858. The HAT generally corresponds with the edge of the mapped estuarine wetland vegetation and the measurement of the buffer from this feature is generally consistent with the advice from DEHP.

It is therefore recommended that a minimum buffer width of 150 metres and the term 'rehabilitated' is retained within the proposed planning scheme amendment, with changes to the measurement of the buffer to be from HAT. It is also recommended that the proposed planning scheme provisions be changed to include reference to the management of coastal hazards and coastal processes, to protect land vulnerable to coastal erosion and tidal inundation and to provide for some buffer areas to accommodate linear open space where it can be demonstrated that it will not compromise the protection of retained vegetation and the management of coastal hazards and coastal processes.

It was also considered by submitters that the 150 metre buffer along the southern frontage of the Twin Waters West land was derived from a superseded masterplan concept and requested that the buffer to the Sunshine Motorway and the proposed Dedicated CAMCOS corridor be reduced from 40-150 metres to 20 metres. This request was made on the basis that adequate visual separation and noise amelioration from the motorway can be achieved using a 20 metre wide buffer comprising of a combination of earth mounding, acoustic fencing and a vegetated strip along the full length of the motorway.

It is considered that there is some opportunity to reduce the 150 metre buffer requirement along the south-western frontage of the Twin Waters West land. However, due to a level of uncertainty in relation to the proposed Dedicated CAMCOS corridor alignment, it is considered appropriate that a minimum buffer width of 40 metres is maintained along the full frontage of the western boundary of the Twin Waters West land. This is to ensure development in the Emerging community zone (Twin Waters West) does not compromise the provision or operation of the proposed Dedicated CAMCOS corridor or State controlled roads (e.g. Sunshine Motorway) and provides for effective visual and acoustic separation and screening as well as the provision of a regional pedestrian and cycle path adjacent to the Sunshine Motorway and the proposed Dedicated CAMCOS corridor.

Flood refuge requirement

The proposed planning scheme amendment includes the requirement for development within the Emerging community zone to provide adequate flood immunity (including safe refuge) and emergency access arrangements. Some submitters considered the 'safe refuge' requirement was unnecessary and requested it to be removed.

This request is not supported on the basis that:

- the critical duration of flooding is not the same as flood warning times. When it becomes apparent that evacuation is necessary, it is likely that the evacuation route may already be compromised;
- local flooding of the local road network may still mean that offsite evacuation is unsafe or not without offsite consequences; and
- the traffic and accommodation requirements of offsite evacuation create an unnecessary burden for disaster managers and emergency services, which Council seeks to avoid.

It is therefore recommended that the safe refuge requirement is retained in the proposed planning scheme amendment.

Building height

Under the *Sunshine Coast Planning Scheme 2014*, a maximum building height of 8.5 metres applies to the Twin Waters West land as well as the majority of the existing Twin Waters community, with the exception of the medium density residential areas which have a maximum building height limit of 12 metres. This is depicted on the Height of buildings and structures overlay map OVM21H for the Maroochy North Shore Local plan area.

It was requested that a comparable height limit of 12 metres be afforded to the Twin Waters West land, to facilitate development for multi-unit residential uses.

In consideration of the above, it is proposed to amend the Height of buildings and structures overlay map OVM21H to include a Site Specific Note, which provides for a maximum height of 12 metres to be allowable in certain parts of the Emerging community zone (Twin Waters West), to accommodate multi-unit residential uses, where nominated on an approved plan of development.

Baptist Church

Some submitters requested that the Baptist Church site, which immediately adjoins the Twin Waters West land to the north-west, be included in the Emerging community zone.

This request is not supported, as the inclusion of the land in the Emerging community zone would constitute a significant change to the proposed planning scheme amendment and would need to be re-advertised.

SUMMARY

The recommended changes to the proposed planning scheme amendment are considered appropriate to ensure that the form and structure of development in the Emerging community zone (Twin Waters West) is consistent with the character of the adjoining Twin Waters residential community and addresses all relevant matters.

The recommended changes to the proposed planning scheme amendment are not considered to result in the amendment being significantly different to the version placed on public consultation.

RECOMMENDATION

That the following changes are made to the publicly notified version of the proposed planning scheme amendment relating to development density, open space, buffers and building height, in response to the consideration of submission:

- change Acceptable Outcome (AO22) to:**
 - reduce the minimum lot size from 500m² to 400m²;
 - limit the proportion of lots less than 500m² to 12% of the total number of low density residential lots;
 - include a maximum density of 12 lots per hectare; and
 - include a maximum density of 40 dwellings per hectare for multi-unit residential uses up to a maximum of 15% of the net developable area.
- change Acceptable Outcome (AO34) to clarify that the quantum of open space includes all walkable waterfront areas, linear parks, conservation areas and buffers;**
- change Performance Outcome (PO35) to include reference to the management of coastal hazards and coastal processes to protect land vulnerable to coastal erosion and tidal inundation;**
- change Acceptable Outcome (corresponding to PO35) to:**
 - clarify that the minimum 150 metre buffer to the Maroochy River is to be measured from the Highest Astronomical Tide;
 - include a 'Note' that specifies that some buffers may provide the opportunity to accommodate

linear open space where it can be demonstrated that it will not compromise the protection of retained vegetation and the management of coastal hazards and coastal processes;

- (e) change Performance Outcome (PO36) to include the requirement for the buffer and separation area to the Sunshine Motorway and the proposed Dedicated CAMCOS corridor to be designed to accommodate appropriate flood solutions for the Twin Waters West land;
- (f) change Acceptable Outcome (AO36) to retain a consistent minimum buffer width of 40 metres to the Sunshine Motorway and proposed dedicated CAMCOS corridor, along the full western frontage of the Twin Waters West land; and
- (g) amend the Height of buildings and structure overlay map OVM21H to include a Site Specific Note relating to the Twin Waters West land, which provides for a maximum height of 12 metres to be allowable in certain parts of the Emerging community zone (Twin Waters West), to accommodate multi-unit residential uses, where nominated on an approved plan of development.

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Explanatory Memorandum

Proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]– Twin Waters West

Post Notification Ministerial Review Version

April 2017

RTI Act RELEASE
Sunshine Coast Council



1. Short title

The amendment instrument to which this explanatory memorandum relates is the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]* relating to land at Twin Waters West.

2. Type of local planning instrument

The proposed amendment to the *Sunshine Coast Planning 2014* constitutes a 'major amendment' in accordance with Section 2.3A.4 of *Statutory guideline 01/16: Making and amending local planning instruments*.

3. Entity making the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment)

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

4. Land affected by the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment)

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

Table 4.1 Land affected by the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment)

Property Description	Address	Ownership Category	Map of Subject Land
Lot 1 on RP811523, Lot 3 on SP248471, Lot 1 on RP103117, Lot 2 on RP103117, Lot 4 on RP98356, Lot 5 on RP98356, Lot 6 on RP98356, Lot 7 on RP98356, Lot 8 on RP98356, Lot 3 on RP842858, Lot 9 on RP862470, Lot 2 on SP166012, Lot 2 on RP842858, Lot 1 on RP98356, Lot 1 on RP96774, Lot 2 on RP90264, Lot 3 on RP90264, Lot 101 on SP248471 and Lot 8 on RP812125	581-593 David Low Way, 10 & 12 De Vere Road, 284, 282, 274, 266, 258, 252, 232, 230, 230, 228, 226 and 216 Godfreys Road, Pacific Paradise	Private, State and Council	

5. Purpose of the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment)

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

- (a) amend the zoning of land, referred to as Twin Waters West, located at Pacific Paradise, from the Rural zone to the Emerging community zone and include the Twin Waters West land within the Maroochy North Shore local plan area and inside the Urban Growth Management Boundary;
- (b) amend the Maroochy North Shore Local plan code, to include specific provisions to guide future residential development of the Twin Waters West land; and
- (c) undertake all necessary consequential amendments to other parts of the planning scheme for consistency with the above proposed amendments.

6. Reasons for the proposed Sunshine Coast Planning Scheme 2014 (Major Amendment)

Council has prepared the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)* in order to provide for the conditional development of land at Twin Waters West for residential purposes. Subject to appropriate resolution of flooding and other issues, the subject land is considered to provide an opportunity for infill development in a strategic location within the existing SEQ Regional Plan Urban Footprint and Sunshine Coast Enterprise Corridor, and within close proximity to the Maroochydoore Principal Regional Activity Centre (PRAC) and existing infrastructure networks.

The proposed amendment is considered logical and appropriate having regard to the prevailing low density residential land uses that adjoin the subject land to the north and the east. In particular, it represents a logical and orderly expansion of the existing Twin Waters residential community.

The proposed planning scheme amendment provides planning parameters which seek to respond to local community expectations in relation to the character and form of potential future development in this location and provide for a development outcome which is more consistent with community expectations than previous development proposals for the subject land. The proposed amendment also recognises that further community consultation is appropriate through the retention of the requirement for an impact assessable development application for any future urban development over the site.

Background

The Twin Waters West land is currently included predominantly in the Rural zone under the *Sunshine Coast Planning Scheme 2014* and is located outside the urban growth management boundary (refer to **Figure 1**). Along with the established residential areas to the east and north, the subject land is included in the Urban Footprint of the South East Queensland Regional Plan 2009-2031 (refer to **Figure 2**).

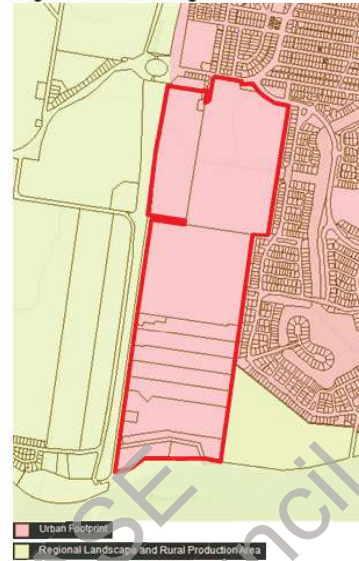
The subject land lies between the established Twin Waters residential community to the east and former canelands to the west. The Sunshine Motorway and the future CAMCOS corridor forms the western boundary. The subject land is generally characterised as low-lying former canelands.

The subject land is in private ownership, with the exception of one Council owned property (Settler's Park). The majority of the land is under single ownership.

Figure 1: Extract of Sunshine Coast Planning Scheme 2014 – Zoning



Figure 2: Extract of SEQ Regional Plan – Regional land use categories



Development application

In 2009, a development application for a Preliminary Approval Overriding the Planning Scheme for a Material Change of Use of Premises (Master Planned Community) (MCU07/0130) involving the majority of the subject land, was refused by Council. The application sought to establish 950 residential lots averaging 450m² in area. The application was refused by Council based on the following grounds:

- The proposed development conflicts with the Maroochy Plan;
- The proposed development is for an urban activity located on rural land outside an urban precinct;
- The site is identified as "Good Quality Agricultural Land" (GQAL) and the proposal seeks to convert the land to urban use;
- The proposed development is located on part of the Maroochy River floodplain and has not adequately demonstrated that development of the site would achieve the outcomes of the Maroochy Plan in relation to flooding;
- The proposal is premature and requires out of sequence infrastructure upgrades; and
- Insufficient information has been provided to demonstrate that the proposal complies with the applicable Codes.

There were 888 submissions received objecting to the proposal. Many of the submissions were from adjoining residents concerned about the impact of the development on the existing Twin Waters residential community in terms of traffic, flooding, character and amenity.

Appeal

The applicant lodged an appeal (2282/09) in relation to Council's decision, but in 2013 the Planning and Environment Court upheld Council's refusal of the application on the grounds that the proposed development:

- conflicts with the planning scheme (*Maroochy Plan 2000* and the draft Sunshine Coast Planning Scheme);

- consumes GQAL;
- erodes the open rural landscape character of the area; and
- places a substantial new residential community into a floodplain and risks a substantial number of persons becoming isolated in times of major natural disaster.

It is noted that notwithstanding the Court's findings, the majority of issues raised in the appeal (e.g. issues relating to conflict with the planning scheme and Good Quality Agricultural Land) may be overcome by the inclusion of the subject land in an urban zone in the *Sunshine Coast Planning Scheme 2014* and through a subsequent development application (e.g. issues relating to flooding and visual amenity).

Submission to draft planning scheme

When the draft *Sunshine Coast Planning Scheme* was publicly notified, Council received a submission from the proponent requesting the subject land be included in an urban residential zone. At this time, the appeal over Council's refusal of Development Application MCU07/0130 was still current and no modifications to the draft planning scheme were made.

At the time the draft planning scheme was prepared, a population and employment assessment confirmed that there was sufficient urban zoned land allocated to meet dwelling and population targets of the SEQ Regional Plan.

Current circumstances

Since the Court decision and following commencement of the *Sunshine Coast Planning Scheme 2014*, the proponent prepared a revised conceptual master plan for development of the subject land and has undertaken further community consultation with the local community association and other community stakeholder groups. The revised conceptual master plan incorporates approximately 650-700 residential lots based on a waterway system similar to the existing Twin Waters residential community and is considered to be more consistent with local community expectations compared with the previous development application, particularly in terms of character, density and scale.

Importantly, given previous reservations from the local community in relation to development of the subject land, Council required demonstration of community consultation and community support for development of the Twin Waters West land, before contemplating a planning scheme amendment process. Following consultation with the proponent, the local community association has subsequently indicated its conditional support for development of the subject land. The proposed planning scheme amendment seeks to ensure any such development is consistent with local community expectations.

In this instance the subject land provides an opportunity for infill development in a strategic location within the existing SEQ Regional Plan Urban Footprint and Sunshine Coast Enterprise Corridor, and within close proximity to the Maroochy PRAC and existing infrastructure networks.

The proponent has also undertaken further traffic modelling in consultation with council officers and the Department of Transport and Main Roads to identify the preferred primary access point to the Twin Waters West land.

As part of more detailed master planning for the subject land, further investigation will however be required into a range of matters, including mitigation of flood hazard.

7. Details of the proposed Sunshine Coast Planning Scheme 2014 (Major amendment)

The amendment proposes to include the majority of the subject land in the Emerging community zone and within the Urban Growth Management Boundary. It is also proposed to include this land in the Maroochy North Shore local plan area and include specific provisions within the local plan code relating to development within the Emerging community zone.

Lots to the south (being Lot 1 on RP98356, Lot 1 on RP96774, Lot 2 on RP90264 and Lot 3 on RP90264), are also proposed to be included in the Maroochy North Shore local plan area but are to remain in the Rural zone and outside the Urban Growth Management Boundary in

recognition of the biophysical constraints affecting this land (primarily significant wetlands and flooding constraints).

It is also proposed to amend the local heritage boundary relating to Lot 8 on RP812125 (Settlers Park) to more appropriately reflect the heritage significant mango trees and provide a greater curtilage around the trees. Lot 8 on RP812125 is proposed to be retained in the Open space zone.

It is also proposed to make all necessary consequential amendments to other parts of the planning scheme to be consistent with the above amendments.

Table 7.1 provides a summary of the proposed text and mapping amendments to the planning scheme.

Table 7.1 Summary of proposed planning scheme amendment

Planning Scheme Part	Summary of Amendment
Part 3 (Strategic framework)	<ul style="list-style-type: none"> • Amend section 3.10.4.1(b) (Specific outcomes) of section 3.10.4 (Element 3 – Coastal erosion) to require development in the coastal zone to avoid areas subject to coastal erosion (i.e. erosion prone areas). • Amend section 3.10.5.1(b)(iii) (Specific outcomes) of section 3.10.5 (Element 4 - Flooding) to provide an additional exception relating to development of land subject to flooding where such land is specifically identified as being intended for urban development in a local plan. • Amend Strategic Framework Map SFM7 (Natural Resource Elements) to remove the Agricultural Land Classification from land proposed to be included in the Emerging community zone.
Part 7 (Local plans)	<ul style="list-style-type: none"> • Amend section 7.2.18.2 Context and Setting, section 7.2.18.3 (Purpose and overall outcomes) and section 7.2.18.4 Assessment criteria (including performance outcomes and acceptable outcomes) of the Maroochy North Shore Local plan code, to include specific provisions to guide future residential development of the Twin Waters West land, relating to the following:- <ul style="list-style-type: none"> - Requirement for master planning of the site; - Character, including minimum lot size; - Protection of amenity; - Flooding; - Water quality and management of waterways and waterbodies; - Access, connectivity and traffic impacts; - Active transport network and walkable waterfronts; - Protection and enhancement of local heritage places; - Open space network, including protection and buffering of significant environmental areas and riparian areas (including ecologically important areas); - Visual and acoustic screening; - Protection and buffering of the proposed CAMCOS corridor, Sunshine Motorway and other State controlled roads. • Amend Figure 7.2.18A (Maroochy North Shore Local Plan Elements) to identify relevant elements for the Twin Waters West land, including: <ul style="list-style-type: none"> - Indicative access points (road and pedestrian/cycle linkages);

Planning Scheme Part	Summary of Amendment
	<ul style="list-style-type: none"> - Principal pedestrian/cycle linkage; - Coastal path; - Landscape buffering; and - Conservation and rehabilitation areas.
Part 8 (Overlays)	<ul style="list-style-type: none"> • Amend PO2(b)(ii) of Table 8.2.7.3.2 (Criteria for assessable development) of section 8.2.7 (Flood hazard overlay code) to be consistent with the exceptions outlined in section 3.10.5 (Element 4 - Flooding) of the Strategic Framework relating to development on land subject to flooding.
Schedule 2 (Mapping)	<ul style="list-style-type: none"> • Amend Zone Map ZM21 (Maroochy North Shore Local Plan Area) to include the Twin Waters West land (Lot 1 on RP811523, Lot 3 on SP248471, Lot 2 on RP103117, Lot 1 on RP103117, Lot 8 on RP98356, Lot 7 on RP98356, Lot 6 on RP98356, Lot 5 on RP98356, Lot 4 on RP98356, Lot 3 on RP842858, Lot 9 on RP862470, Lot 2 on SP166012, Lot 2 on RP842858 and Lot 101 on SP248471) in the Emerging community zone and inside the Urban Growth Management Boundary. • Amend Height of Buildings and Structures Overlay Map OVM21H (Maroochy North Shore Local Plan Area) to include a Specific Site Note, which provides for a maximum height of 12 metres in certain parts of the Emerging community zone (Twin Waters West) to accommodate multi-unit residential uses, where nominated on an approved plan of development. • Amend Heritage and Character Areas Overlay Map OVM21I (Maroochy North Shore Local Plan Area) to change the local heritage place boundary relating to Settlers Park to appropriately reflect the heritage significant mango trees and provide a greater curtilage around the trees.

8. Compliance with the Sustainable Planning Act 2009

The *Sunshine Coast Planning Scheme 2014* complies with the purpose and Section 88 (Key elements of planning scheme) of the *Sustainable Planning Act 2009*. In particular, the *Sunshine Coast Planning Scheme 2014* appropriately reflects the standard planning scheme provisions in version 3.0 of the Queensland Planning Provisions and coordinates and integrates State and regional matters through compliance with State planning instruments. The proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)* does not materially affect this compliance.

The proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)* has been prepared in accordance with:

- (a) Part 5 (Making, amending or repealing local planning instruments) of the *Sustainable Planning Act 2009*; and
- (b) *Statutory guideline 01/16: Making and amending local planning instruments*.

9. Compliance with State planning instruments

At the time of the gazettal of the *Sunshine Coast Planning Scheme 2014* in May 2014, the Minister identified that the *South East Queensland Regional Plan 2009-2031* and the *State Planning Policy* were appropriately reflected in the planning scheme. The proposed amendment to the *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]* does not adversely affect the planning scheme's compliance with State planning instruments.

Particular aspects of the proposed amendment that have been identified as potentially relevant to State planning instruments are detailed in **Table 9.1**.

Table 9.1 Compliance with State planning instruments

Summary of proposed amendment	State Interest	Summary of Compliance
<p>Proposed zoning amendments (Twin Waters West)</p> <p>Include Lot 1 on RP811523, Lot 3 on SP248471, Lot 2 on RP103117, Lot 1 on RP103117, Lot 8 on RP98356, Lot 7 on RP98356, Lot 6 on RP98356, Lot 5 on RP98356, Lot 4 on RP98356, Lot 3 on RP842858, Lot 9 on RP862470, Lot 2 on SP166012, Lot 2 on RP842858 and Lot 101 on SP248471 in the Emerging community zone and include relevant provisions in the Maroochy North Shore local plan code. Consequential planning scheme amendments are also required to the Maroochy North Shore local plan area boundary, the Urban Growth Management Boundary and other provisions to align with the proposed zoning change.</p>	<p>SEQ Regional Plan 2009 – 2013</p> <p>Regional land use categories (Urban footprint)</p>	<p>The subject land is currently included in the Urban Footprint under the SEQ Regional Plan. The proposed amendment is consistent with the intent of the SEQ Regional Plan as it will provide for additional urban residential land supply within the Urban Footprint.</p> <p>The proposed amendment is considered logical and appropriate having regard to the prevailing low density residential land uses that adjoin the subject land to the north and the east. In particular, it represents a logical and orderly expansion of the existing Twin Waters residential community.</p> <p>While other matters of State interest are also relevant to the subject land, such as flood hazard and matters of State environmental significance, these matters have been appropriately reflected either in the existing <i>Sunshine Coast Planning Scheme 2014</i> (e.g. via the strategic framework and overlays) or in the proposed amendment and will be considered in further detail in the assessment process for any forthcoming development application.</p>
	<p>State Planning Policy April 2016 – Planning for liveable communities and housing</p>	<p>The proposed amendment provides for the logical expansion of an established residential neighbourhood already serviced by necessary infrastructure.</p> <p>Additional housing supply and diversity to meet the needs of the community will be provided as a result of the proposed amendment.</p>
	<p>State Planning Policy April 2016 – Planning for economic growth</p>	<p>It is noted that the subject land comprises agricultural land classification (ALC) Class A and Class B land. However, it is considered that this land is isolated and fragmented from a broader area of ALC Class A and Class B land on the western side of the Sunshine Motorway. In addition, it is considered that this land is no longer suitable for primary production due to its adjacency to established residential development.</p> <p>It is also noted that the separation area associated with the Maroochy North Bli Bli Key Resource Area 150, located on the western side of the Sunshine Motorway, applies to part of the subject land. The <i>Sunshine Coast Planning Scheme 2014</i> currently includes provisions for development within an extractive resource separation area, which will be considered in further detail in the assessment process for any forthcoming development application.</p>
	<p>State Planning Policy April 2016 – Planning for the environment and heritage</p>	<p>It is noted that matters of State environmental significance are located within and adjoining the subject land. These matters have been appropriately reflected in the <i>Sunshine Coast Planning Scheme 2014</i> (e.g. via the strategic framework and overlays) and will be considered in further detail in the assessment process for any forthcoming development application. In</p>

Summary of proposed amendment	State Interest	Summary of Compliance
		<p>addition, the proposed amendment includes specific provisions in the Maroochy North Shore Local plan code and elements figure to provide for the protection, rehabilitation and buffering of significant environmental and riparian areas, including ecological important areas and to provide for the protection of coastal processes and coastal resources. It is also proposed to include specific provisions relating to the establishment and management of waterways, including water quality.</p> <p>It is also noted that the subject land does not include state or national heritage places. However, the subject land does contain two places of local heritage significance. These matters have been appropriately reflected in the <i>Sunshine Coast Planning Scheme 2014</i>. The proposed amendment includes specific provisions in the Maroochy North Shore Local plan code in relation to the protection and enhancement of the local heritage values of Settlers Park.</p>
	<p>State Planning Policy April 2016 – Planning for safety and resilience to hazards</p>	<p>It is noted that the subject land is located within a flood and coastal hazard area. These matters have been appropriately reflected in the <i>Sunshine Coast Planning Scheme 2014</i>. The proposed amendment includes specific provisions in the Maroochy North Shore Local plan code that requires development to provide for adequate flood immunity (including safe refuge) and emergency access arrangements and avoiding off-site flood impacts. It is also proposed to include specific provisions which provide for the protection, rehabilitation and buffering of the land identified as an erosion prone area in the coastal management district.</p>
	<p>State Planning Policy April 2016 – Planning for infrastructure</p>	<p>It is noted that the subject land is located in the vicinity of State infrastructure, namely the Sunshine Motorway, the future CAMCOS corridor, David Low Way and the Sunshine Coast Airport (which is identified as a Strategic Airport and aviation facility). These matters are appropriately reflected in the <i>Sunshine Coast Planning Scheme 2014</i>. It is also proposed to include specific provisions in the Maroochy North Shore Local plan code relating to the protection and buffering of the future CAMCOS corridor and for the safe and efficient management and operation of State transport infrastructure and transport networks as well as primary access and circulation arrangements. The proposed amendment also includes specific provisions in the Maroochy North Shore Local plan code relating to development within the Emerging community zone being protected from environmental emissions generated by existing and future state transport operations and infrastructure.</p>

10. Consultation with government agencies

During the early stages of preparation of the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)*, Council met with representatives from the Department of Infrastructure, Local Government and Planning (DILGP), Regional Services – SEQ (North) on 20 August 2015 to discuss the content of the proposed amendment and likely state interests.

Preliminary discussions with representatives from DILGP, Regional Services office identified that the following agencies may have a specific interest in the proposed planning scheme amendment:-

- Department of Infrastructure, Local Government and Planning;
- Department of Natural Resources and Mines;
- Department of Environment and Heritage Protection;
- Department of Agriculture and Fisheries;
- Department of National Parks, Sport and Racing; and
- Department of Transport and Main Roads.

Specific preliminary consultation has also been undertaken with officers from the Department of Transport and Main Roads (DTMR) in relation to preferred access arrangements for the subject land. In a letter to Council, dated 8 October 2015, DTMR indicated in principle support for primary access to the proposed development via a roundabout configuration at the intersection of David Low Way and Ocean Drive. This access arrangement is reflected in the proposed planning scheme amendment.

In accordance with the *Sustainable Planning Act 2009* and *Statutory guideline 04/14: Making and amending local planning instruments*, Council sent a copy of the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)* to the Minister for Infrastructure, Local Government and Planning (the Planning Minister) on 25 October 2015, for formal consideration of State interests and to seek approval for Council to proceed to public consultation.

Following consideration of State interests, on 19 July 2016, Council received advice from the Planning Minister that it may proceed to public consultation, with no conditions.

In December 2016, further consultation was undertaken with officers from the Department of Transport and Main Roads and Department of Environment and Heritage Protection in relation to the proposed amendment for Twin Waters West, particularly in terms of the proposed buffers to the Sunshine Motorway, the proposed Dedicated CAMCOS Corridor and to the Maroochy River.

Table 9.1 of section 9 above provides a summary of how the proposed amendment addresses state interests.

11. Public consultation

Preliminary consultation has occurred with representatives from the local community association during the early stages of the proposed planning scheme amendment process.

In accordance with *Statutory Guideline 01/16: Making and amending local planning instruments*, Council must undertake formal public consultation during Stage 3 of the process for making a planning scheme 'major' amendment.

On 19 July 2016, Council received advice from the Planning Minister that it may proceed to public consultation, with no conditions. The proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)* was on public consultation from **26 September 2016 to 7 November 2016**. The consultation and communication strategy implemented during the public notification period involved the following:

- Notice placed in the *Sunshine Coast Daily* on Saturday, 24 September 2016;

- Notice published on Council's website and a copy placed at Council offices prior to the consultation period commencing;
- Copy of the proposed amendments (including a summary information sheet on the Twin Waters West amendment) published on Council's website and made available for viewing at Council's offices during the consultation period;
- Letters sent to land owners and adjoining land owners advising of the proposed amendment, including a summary information sheet about the proposed amendment and public consultation period;
- Emails sent to the Twin Waters Residents' Association, Pacific Paradise Progress Association, North Shore Traders, Maroola Community Group and Mudjimba Residents Association prior to the commencement of the public consultation period, advising of the proposed amendment and inviting representatives to contact Council for a briefing. A further email was sent at the commencement of the public consultation period providing a copy of the Public Notice and summary information sheet. This initial contact was followed up with individual phone calls once the public consultation period commenced;
- Newsflash issued to all regular planning scheme users and community members that have previously expressed an interest in receiving information about planning and development matters;
- Briefings/meetings with community associations and land owners;
- Various phone, email and counter enquiries; and
- Media statement issued prior to the commencement of the public consultation period, advising of the proposed amendments and public consultation period.

12. Consideration of public submission

A total of 629 properly made submissions were received in relation to the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)*. Of these, 127 submissions were in support of the proposed amendment and 502 submissions opposed the proposed amendment. Three of the submissions opposing the proposed amendment included petitions comprising a total of 614 signatories.

In accordance with *Statutory Guideline 01/16: Making and amending local planning instruments*, following public consultation, Council must consider every properly made submission about the proposed amendment. Individual responses are intended to be provided to each submission although the majority of responses will refer directly to Key Issues Papers.

Of the 127 submissions in support of the proposed amendment, 80 (63%) were pro-forma submissions, which also outlined support for the Twin Waters Residents' Association (TWRA) submission and advised that the TWRA has kept them well informed over an extended period.

Some individual submissions outlined that development of the Twin Waters West land would provide economic benefits to the area and additional housing opportunities for the North Shore locality. A small number of individual submissions in support, also raised some concern about traffic, access and flooding.

Of the 502 submissions opposed to the proposed amendment, 443 (88%) were pro-forma submissions.

The pro-forma submissions primarily raised objections to:

- the change in zone from Rural to Emerging community, on the basis of visual and environmental impacts;
- filling in the Maroochy floodplain, on the basis that it would worsen the effects of flooding elsewhere;
- Council favouring an influential developer, particularly when the Sunshine Coast has adequate greenfield and infill sites to support future population growth;

- the assumption that the local community endorses the expansion of residential over the Twin Waters West land, in particular the assumption that the Twin Waters Residents Association represents the local community view; and
- Council's disregard for the State's requirement that the Twin Waters West land be kept as a development-free buffer against future coastal inundation and erosion.

In addition to the above objections raised in the pro-forma submissions, the following additional key concerns were raised:

- contradicts Council's refusal of a previous development application and Court appeal;
- inconsistent with State planning requirements;
- concern about:
 - development/filling in the floodplain and worsening of flooding impacts;
 - impacts on coastal processes and coastal resources;
 - loss of green space and visual amenity;
 - loss of habitat and impacts on wildlife;
 - an increase in traffic/congestion and impact on existing infrastructure;
 - impacts on Indigenous cultural heritage; and
- inadequate community consultation.

Consideration of the key concerns raised in submissions are summarised as follows:

- The proposed planning scheme amendment has been prepared, having regard to the issues raised in the Court Appeal. It is considered that the majority of these issues may be overcome by the inclusion of the Twin Waters West land in an urban residential zone and through the assessment process for any subsequent development application.
- The proposed planning scheme amendment has also been prepared in accordance with State planning requirements (e.g. *South East Queensland Regional Plan 2009-2031* and the *State Planning Policy*). It is also considered that the relevant matters of state interest (as set out in the *State Planning Policy*) are appropriately reflected either in the existing planning scheme provisions or in the proposed planning scheme amendment and would be considered in further detail in the assessment process of any forthcoming development application. The proposed planning scheme amendment has also undergone a formal state interest review, whereby the Planning Minister advised Council in July 2016 that the state interests were appropriately reflected in the proposed planning scheme amendment.
- The concerns raised by submitters, particularly in relation to flooding, coastal processes, visual amenity, habitat values and traffic, are acknowledged. However, it is considered that these concerns are appropriately addressed either by existing planning scheme provisions (i.e. via the strategic framework and overlays) or by the content of the proposed planning scheme amendment (e.g. specific provisions relating to character and amenity; flooding; management of channels and waterbodies; protection, rehabilitation and buffering of ecologically important areas; traffic and access; visual and acoustic screening). It is also acknowledged that a number of site development issues (e.g. filling, flooding, traffic and environmental values) will require more detailed assessment and the proposed planning scheme amendment provides that this work be undertaken as part of a future development application that would be subject to impact assessment (including a statutory public notification process).
- Preliminary flood investigations undertaken as part of the preparation of the proposed planning scheme amendment, provides a high degree of confidence that the Twin Waters West land has development potential with appropriate application of the Flood

hazard overlay code and a suitable development concept. This conclusion was also shared by the experts who provided evidence to the Planning and Environment Court as part of the previous appeal process.

- From a strategic planning perspective, the proposed planning scheme amendment is considered to be in the public interest when that interest is considered as a whole and appropriate weight is given to balancing the various relevant considerations.

It is recommended that no changes are made to the proposed planning scheme amendment in response to the consideration of the above key concerns.

Some submissions in support of the proposed planning scheme amendment also requested changes to certain provisions within the proposed planning scheme amendment, particularly in relation to:

- development density, in terms of minimum and average lot size;
- open space calculation;
- buffers to the Maroochy River, Sunshine Motorway and the proposed Dedicated CAMCOS corridor;
- flood refuge requirement;
- building heights for multi-unit residential uses; and
- inclusion of addition land in the Emerging community zone.

The following is a summary of recommended changes to the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment)* – Twin Waters West, in response to the requests relating to development density, open space, buffers and building height and concerns relating to transport infrastructure:

- change proposed Acceptable Outcome (AO22) to:
 - reduce the minimum lot size from 500m² to 400m² (reflective of the smallest lot of 403m² in the existing Twin Waters community);
 - limit the proportion of lots less than 500m² to 12% of the total number of low density residential lots (reflective of the proportion of lots less than 500m² in the existing Twin Waters community);
 - include a maximum density of 12 lots per hectare (generally consistent with the density of low density residential uses in the existing Twin Waters community); and
 - include a maximum density of 40 dwellings per hectare for multi-unit residential uses and comprising a maximum of 15% of the total developable area (consistent with the density range prescribed in the Multi-unit residential uses code of the planning scheme and generally consistent with the proportion of multi-unit residential uses in the existing Twin Waters community).
- change proposed Acceptable Outcome (AO34) to clarify that the quantum of open space includes all walkable waterfront areas, linear parks, conservation areas and buffers;
- change proposed Performance Outcome (PO31) to include the requirement for transport infrastructure to be designed to reflect the amenity and character of the existing Twin Waters community (including, but not limited to, the provision of generous verge widths);
- change proposed Performance Outcome (PO35) to include reference to the management of coastal hazards and coastal processes to protect land vulnerable to coastal erosion and tidal inundation;

- change proposed Acceptable Outcome (AO35) to clarify that the minimum 150 metre buffer to the Maroochy River is to be measured from the Highest Astronomical Tide and include a 'Note' that specifies that some buffer areas may accommodate linear open space where it can be demonstrated that it will not compromise the protection of retained vegetation or the management of coastal hazards and coastal processes;
- change proposed Performance Outcome (PO36) to include a 'note' relating to the buffer and separation area to the Sunshine Motorway and the proposed Dedicated CAMCOS corridor to be designed in a manner which does not compromise flood solutions for the Twin Waters West land;
- change proposed Acceptable Outcome (AO36) to require a consistent minimum buffer width of 40 metres along the full western frontage of the Twin Waters West land; and
- change the Height of buildings and structure overlay map OVM21H to include a Site Specific Note relating to the Twin Waters West land, which provides for a maximum height of 12 metres to be allowable in certain parts of the Emerging community zone (Twin Waters West), to accommodate multi-unit residential uses, where nominated on an approved plan of development.

The recommended changes to the proposed planning scheme amendment are considered appropriate to ensure that the form and structure of development in the Emerging community zone (Twin Waters West) is consistent with the character of the adjoining Twin Waters residential community and addresses all relevant matters.

No changes are recommended to the proposed planning scheme amendment in response to the requests relating to the safe refuge requirement and the Baptist Church site.

The changes to the proposed planning scheme amendment are not considered to be significantly different to the version that was placed on public consultation and therefore do not require re-notification. The proposed planning scheme amendment, with changes, will also remain in compliance with the *South East Queensland Regional Plan 2009-2031* and the *State Planning Policy*.

13. Background studies and reports

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



Amendment Instrument

Proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted] – Twin Waters West

Post Notification Ministerial Version

April 2017

Made under the *Sustainable Planning Act 2009*, section 117
(Process for preparing, making or amending local planning instruments)

This amendment has effect on and from [to be inserted]



1. Short title

This amendment instrument may be cited as the proposed *Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]*.

2. Commencement

This amendment instrument has effect on and from [to be inserted].

3. Purpose

The purpose of this amendment instrument is to:

- (a) amend the zoning of land, referred to as Twin Waters West, located at Pacific Paradise, from the Rural zone to the Emerging community zone and include the Twin Waters West land within the Maroochy North Shore local plan area and inside the Urban Growth Management Boundary;
- (b) amend the Maroochy North Shore Local plan code, to include specific provisions to guide future residential development of the Twin Waters West land; and
- (c) undertake all necessary consequential amendments to other parts of the planning scheme for consistency with the above amendments.

4. Amendment table

This amendment instrument amends the component of the *Sunshine Coast Planning Scheme 2014* in Table 1, Column 1, in respect of the planning scheme provisions stated in Table 1, Column 2, in the manner stated in Table 1, Column 3.

Table 1 Amendment table

Column 1	Column 2	Column 3
Planning scheme component	Planning scheme provision	Amendment
Part 3 (Strategic framework), section 3.10 (Natural hazards)	Section 3.10.4 (Element 3 Coastal erosion), Section 3.10.4.1 (Specific outcomes)	Amend as shown in Appendix A
Part 3 (Strategic framework), section 3.10 (Natural hazards)	Section 3.10.5 (Element 4 - Flooding), Section 3.10.5.1 (Specific outcomes)	Amend as shown in Appendix A
Part 3 (Strategic Framework), Schedule 2 (Mapping)	Strategic Framework Map 7 SFM7 (Natural resource elements)	Amend as shown in Appendix B
Part 7 (Local plans), section 7.2.18 (Maroochy North Shore local plan code)	Section 7.2.18.2 (Context and setting)	Amend as shown in Appendix A
Part 7 (Local plans), section 7.2.18 (Maroochy North Shore local plan code)	Section 7.2.18.3 (Purpose and overall outcomes)	Amend as shown in Appendix A
Part 7 (Local plans), section 7.2.18 (Maroochy North Shore local plan code)	Section 7.2.18.4 (Assessment criteria), Table 7.2.18.4.1 (Criteria for assessable development)	Amend as shown in Appendix A
Part 7 (Local plans), section 7.2.18 (Maroochy North Shore local plan code)	Figure 7.2.18A (Maroochy North Shore Local Plan Elements)	Amend as included in Appendix A

Proposed Sunshine Coast Planning Scheme 2014 (Major Amendment) No. [to be inserted]
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Column 1	Column 2	Column 3
Planning scheme component	Planning scheme provision	Amendment
Part 8 (Overlays), section 8.2.7 (Flood hazard overlay code)	Section 8.2.7.3 (Assessment criteria), Table 8.2.7.3.2 (Criteria for assessable development)	Amend as shown in Appendix A
Schedule 2 (Mapping)	Zone Map ZM21 (Maroochy North Shore Local Plan Area)	Amend as shown in Appendix B
<u>Schedule 2 (Mapping)</u>	<u>Height of Buildings and Structures Overlay Map OVM21H (Maroochy North Shore Local Plan Area)</u>	<u>Amend as shown in Appendix B</u>
Schedule 2 (Mapping)	Heritage and Character Areas Overlay Map OVM211 (Maroochy North Shore Local Plan Area)	Amend as shown in Appendix B

As a consequence of the amendments in Table 1, this amendment instrument also makes consequential amendments to the component of the *Sunshine Coast Planning Scheme 2014* in Table 2, Column 1, in respect of the planning scheme provisions stated in Table 2, Column 2, in the manner stated in Table 2, Column 3.

Table 2 Consequential amendment table

Column 1	Column 2	Column 3
Planning scheme component	Planning scheme provision	Amendment
Part 1 (About the Planning Scheme)	Map SCC1 (Local government planning scheme area and context)	Amend the Local Plan Area to align with the proposed amendment to Zone Map ZM21 (Maroochy North Shore Local Plan Area)
Part 3 (Strategic Framework), Schedule 2 (Mapping)	Strategic Framework Map 1 SFM1 (Land use elements)	Amend the "urban growth management boundary" and "urban area" land use category to align with the proposed amendment to Zone Map ZM21 (Maroochy North Shore Local Plan Area)
Part 3 (Strategic Framework), Schedule 2 (Mapping)	Strategic Framework Map 2 SFM2 (Economic development elements)	Amend the "urban area" land use category to align with the proposed amendment to Zone Map ZM21 (Maroochy North Shore Local Plan Area)
Part 3 (Strategic Framework), Schedule 2 (Mapping)	Strategic Framework Map 3 SFM3 (Transport elements)	Amend the "urban area" land use category to align with the proposed amendment to Zone Map ZM21 (Maroochy North Shore Local Plan Area)
Part 3 (Strategic Framework), Schedule 2 (Mapping)	Strategic Framework Map 4 SFM4 (Infrastructure elements)	Amend the "urban area" land use category to align with the proposed amendment to Zone Map ZM21 (Maroochy North Shore Local Plan Area)
Part 3 (Strategic Framework), Schedule 2 (Mapping)	Strategic Framework Map 6 SFM6 (Community identity,	Amend the "coastal urban setting" to align with the proposed amendment

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Column 1	Column 2	Column 3
Planning scheme component	Planning scheme provision	Amendment
	character and social inclusion elements)	to Zone Map ZM21 (Maroochy North Shore Local Plan Area)
Part 9 (Development codes), Section 9.4.8 (Transport and parking code)	Figure 9.4.8A (2031 Functional Transport Hierarchy)	Amend the "urban area" land use category to align with the proposed amendment to Zone Map ZM21 (Maroochy North Shore Local Plan Area)
Part 9 (Development codes), Section 9.4.8 (Transport and parking code)	Figure 9.4.8B(i) (2031 Strategic Network of Pedestrian and Cycle Links (Pathways))	Amend the "urban area" land use category to align with the proposed amendment to Zone Map ZM21 (Maroochy North Shore Local Plan Area)
Part 9 (Development codes), Section 9.4.8 (Transport and parking code)	Figure 9.4.8B(ii) (2031 Strategic Network of Pedestrian and Cycle Links (On Road Cycleways))	Amend the "urban area" land use category to align with the proposed amendment to Zone Map ZM21 (Maroochy North Shore Local Plan Area)
Part 9 (Development codes), Section 9.4.8 (Transport and parking code)	Figure 9.4.8C (2031 Strategic Network of Public Transport Links)	Amend the "urban area" land use category to align with the proposed amendment to Zone Map ZM21 (Maroochy North Shore Local Plan Area)
Schedule 2 (Mapping)	Map SCC2 (Index Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Local Plan Map LPM21 (Maroochy North Shore Local Plan Precincts)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Local Plan Map LPM22 (Maroochy/Kuluin Local Plan Precincts)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Zone Map ZM20	Amend to reflect proposed zone changes to Zone Map ZM21 (Maroochy North Shore Local Plan Area)
Schedule 2 (Mapping)	Zone Map ZM22	Amend to reflect proposed zone changes to Zone Map ZM21 (Maroochy North Shore Local Plan Area)
Schedule 2 (Mapping)	Overlay Map OVM20A (Acid Sulfate Soils)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM21A (Acid Sulfate Soils)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM22A (Acid Sulfate Soils)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM20C(i) (Biodiversity, Waterways and Wetlands Overlay Map (i))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM21C(i)	Amend Maroochy North Shore Local

Column 1	Column 2	Column 3
Planning scheme component	Planning scheme provision	Amendment
	(Biodiversity, Waterways and Wetlands Overlay Map (i))	Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM22C(i) (Biodiversity, Waterways and Wetlands Overlay Map (i))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM20C(ii) (Biodiversity, Waterways and Wetlands Overlay Map (ii))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM21C(ii) (Biodiversity, Waterways and Wetlands Overlay Map (ii))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM22C(ii) (Biodiversity, Waterways and Wetlands Overlay Map (ii))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM20D (Bushfire Hazard Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM21D (Bushfire Hazard Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM22D (Bushfire Hazard Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM20E (Coastal Protection Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM21E (Coastal Protection Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM22E (Coastal Protection Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM20F (Extractive Resources Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM21F (Extractive Resources Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM22F (Extractive Resources Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM20G (Flood Hazard Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM21G (Flood Hazard Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary

Column 1	Column 2	Column 3
Planning scheme component	Planning scheme provision	Amendment
Schedule 2 (Mapping)	Overlay Map OVM22G (Flood Hazard Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM20I (Heritage and Character Areas Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary and local heritage place boundary for Lot 8 on RP812125
Schedule 2 (Mapping)	Overlay Map OVM21I (Heritage and Character Areas Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary and local heritage place boundary for Lot 8 on RP812125
Schedule 2 (Mapping)	Overlay Map OVM22I (Heritage and Character Areas Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary and local heritage place boundary for Lot 8 on RP812125
Schedule 2 (Mapping)	Overlay Map OVM20J(i) (Landslide Hazard and Steep Land Overlay Map (i) (Landslide))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM21J(i) (Landslide Hazard and Steep Land Overlay Map (i) (Landslide))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM22J(i) (Landslide Hazard and Steep Land Overlay Map (i) (Landslide))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM20J(ii) (Landslide Hazard and Steep Land Overlay Map (ii) (Steepland))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM21J(ii) (Landslide Hazard and Steep Land Overlay Map (ii) (Steepland))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM22J(ii) (Landslide Hazard and Steep Land Overlay Map (ii) (Steepland))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM20K (Regional Infrastructure Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM21K (Regional Infrastructure Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM22K (Regional Infrastructure Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM20L (Scenic Amenity Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary

Column 1	Column 2	Column 3
Planning scheme component	Planning scheme provision	Amendment
Schedule 2 (Mapping)	Overlay Map OVM21L (Scenic Amenity Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM22L (Scenic Amenity Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM20M (Water Resource Catchments Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM21M (Water Resource Catchments Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 2 (Mapping)	Overlay Map OVM22M (Water Resource Catchments Overlay Map)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM20A (Priority Infrastructure Plan Map – Priority Infrastructure Area)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM21A (Priority Infrastructure Plan Map – Priority Infrastructure Area)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM22A (Priority Infrastructure Plan Map – Priority Infrastructure Area)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM20B (Priority Infrastructure Plan Map – Water Network)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM21B (Priority Infrastructure Plan Map – Water Network)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM22B (Priority Infrastructure Plan Map – Water Network)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM20C (Priority Infrastructure Plan Map – Sewer Network)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM21C (Priority Infrastructure Plan Map – Sewer Network)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM22C (Priority Infrastructure Plan Map – Sewer Network)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM20D (Priority Infrastructure Plan Map – Stormwater Quality Network)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM21D (Priority Infrastructure Plan Map – Stormwater Quality Network)	Amend Maroochy North Shore Local Plan Area Boundary

Column 1	Column 2	Column 3
Planning scheme component	Planning scheme provision	Amendment
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM22D (Priority Infrastructure Plan Map – Stormwater Quality Network)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM20E(i) (Priority Infrastructure Plan Map – Transport Network (Road))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM21E(i) (Priority Infrastructure Plan Map – Transport Network (Road))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM22E(i) (Priority Infrastructure Plan Map – Transport Network (Road))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM20E(ii) (Priority Infrastructure Plan Map – Transport Network (Council Active Transport))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM21E(ii) (Priority Infrastructure Plan Map – Transport Network (Council Active Transport))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM22E(ii) (Priority Infrastructure Plan Map – Transport Network (Council Active Transport))	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM20F (Priority Infrastructure Plan Map – Open Space, Community Facilities and Recreation Trails Network)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM21F (Priority Infrastructure Plan Map – Open Space, Community Facilities and Recreation Trails Network)	Amend Maroochy North Shore Local Plan Area Boundary
Schedule 3 (Priority infrastructure plan mapping and supporting material)	PIP Map PIPM22F (Priority Infrastructure Plan Map – Transport Network (Council Active Transport))	Amend Maroochy North Shore Local Plan Area Boundary

Appendix A Amendment schedule (text)

Part 3 (Strategic framework)

Theme 8 – Natural hazards

3.10.3 Element 2 – Bushfire

3.10.3.1 Specific outcomes

- (a) The risk of harm to people, property, economic activity and the environment due to bushfire is minimised.
- (b) The use of areas and the design, construction and operation of development on land subject to bushfire hazard are compatible with the nature of the hazard and sensitively respond to the constraints imposed by the hazard, including by providing safe evacuation routes for residents or occupiers of the development.
- (c) Essential services and community infrastructure are designed to remain functional during and immediately after bushfire events.
- (d) Bushfire hazard prevention and management measures balance the need to provide fire breaking trails and fire fighting infrastructure with the need to protect habitat and biodiversity values.

3.10.4 Element 3 – Coastal erosion

3.10.4.1 Specific outcomes

- (a) The risk of harm to people, property, economic activity and the environment due to coastal erosion is minimised.
- (b) Development in the coastal zone is to avoid areas subject to coastal erosion or is located, designed, constructed and operated to mitigate the social, financial and environmental costs arising from the impacts of coastal erosion.
- (c) Physical coastal processes are allowed to occur naturally to the greatest extent practicable.

3.10.5 Element 4 – Flooding

3.10.5.1 Specific outcomes

- (a) The risk of harm to people, property, economic activity and the environment due to flooding, including flooding associated with storm tides, mean sea level rise, a greater frequency of extreme weather events and increased rainfall intensities is minimised.
- (b) Urban and rural residential development, and other development involving the erection of a building or significant earthworks, is not located on land subject to flooding in the *defined flood event* or *defined storm tide event* except where satisfying at least one of the following criteria:-
 - (i) the development is for a single *dwelling house* or associated structure on a lot existing prior to the commencement of the planning scheme;
 - (ii) the development is on land that is already committed to urban or rural residential development by an approval granted prior to the commencement of the planning scheme;
 - (iii) the development is on land specifically identified in a structure plan or a local plan as an area intended for urban development;
 - (iv) the development is redevelopment or infill development within an existing developed area;
 - (v) an overriding community need in the public interest has been demonstrated that warrants approval of the development despite its occurrence within an area subject to flooding; or
 - (vi) the development is for the *infrastructure* identified on the planning scheme maps.
- (c) Where development satisfies one or more of the criteria specified in (b) above, it is demonstrated that the impacts of flooding can be effectively mitigated such that there is no foreseeable risk to life or property.

Part 7 (Local plans)

7.2.18 Maroochy North Shore local plan code**7.2.18.1 Application**

This code applies to assessable development:-

- (a) within the Maroochy North Shore local plan area as shown on Map ZM21 contained within **Schedule 2 (Mapping)**; and
- (b) identified as requiring assessment against the Maroochy North Shore local plan code by the tables of assessment in **Part 5 (Tables of assessment)**.

7.2.18.2 Context and setting

This section is extrinsic material under section 15 of the *Statutory Instruments Act 1992* and is intended to assist in the interpretation of the Maroochy North Shore local plan code.

The Maroochy North Shore local plan area is situated in the central eastern part of the Sunshine Coast, east of the Sunshine Motorway, north of the Maroochy River and to the south of Mount Coolool. It includes the established communities of Mudjimba, Pacific Paradise, North and South Maroocha, Town of Seaside, and Twin Waters; and the emerging residential community of Twin Waters West. The local plan area also includes the Sunshine Coast Airport, Airport Industrial Park, as well as a number of tourist resorts at Twin Waters and Maroocha. The local plan area has a land area of approximately 1,885 hectares.

The significant environmental values of the Maroochy North Shore local plan area, being the Maroochy River Conservation Park, Mount Coolool National Park, the Maroochy River foreshore, wetlands and waterways (including declared fish habitat areas) and the beach dunal system and foreshore areas provide a natural and scenic setting for residential and tourist development within the local plan area. The local plan area is located on a low sand dune system and coastal floodplain within the Maroochy River catchment. As a result, most of the area is relatively flat and close to sea level.

The Sunshine Coast Airport, located centrally within the local plan area, is a regionally significant facility and "gateway" to the Sunshine Coast's attractions. It is recognised within the SEQ Regional Plan 2009 - 2031 as a specialist activity centre and aviation and aerospace enterprise opportunity area. The Airport is intended to expand with the construction of a new runway to facilitate new international routes and additional airport related commercial and industry activities to support the growing economy of the Sunshine Coast.

The local plan area includes the Pacific Paradise shopping centre, located at the intersection of David Low Way and Mudjimba Beach Road, and a number of smaller neighbourhood centres at Maroocha, Mudjimba, Twin Waters, Town of Seaside and Pacific Paradise, which provide convenience goods and services and a community focus for local residents and tourists.

The residential communities within the local plan area consist predominantly of dwelling houses with pockets of medium to high density residential development mainly around the business centres at Maroocha, Pacific Paradise, Twin Waters, Mudjimba Beach and Town of Seaside. The existing residential communities of Mudjimba Beach, Pacific Paradise and North and South Maroocha have a coastal village character being located alongside the foreshore.

A number of community, sport and recreational facilities are also located within the local plan area including the Mudjimba Community Hall, North Shore Community Centre, Twin Waters Golf Club, the North Shore Multi Sports Complex, Apex Camp, Mudjimba Beach Holiday Park and Pacific Paradise State School.

The Sunshine Motorway, North Shore Connection Road, Suncoast Boulevard and David Low Way are major road links within the local plan area.

Urban zoned land within the local plan area is connected, or has the ability to be connected, to reticulated water and sewerage.

The existing and future airport operations, significant environmental areas and the drainage characteristics of the local plan area impose significant constraints on new urban development within the local plan area.

7.2.18.3 Purpose and overall outcomes

- (1) The purpose of the Maroochy North Shore local plan code is to provide locally relevant planning provisions for the assessment of development within the Maroochy North Shore local plan area.

- (2) The purpose of the Maroochy North Shore local plan code will be achieved through the following overall outcomes:-
- (a) The Maroochy North Shore local plan area is to remain a predominantly low density coastal urban area comprising a number of beachside residential communities and the Sunshine Coast Airport as well as significant tourist and sport and recreation facilities.
 - (b) Urban development within the Maroochy North Shore local plan area is limited to land within the urban growth management boundary so as to protect environmental areas and landscape values, avoid further urban development on heavily constrained land, particularly low lying and flood prone land, and provide for the efficient provision of *infrastructure* and services. Whilst some limited consolidation is expected within allocated zones, further significant residential development is not supported in the local plan area due to flooding, coastal hazards and environmental constraints.
 - (c) Development within the local plan area protects the primary function of the Sunshine Coast Airport as a major airport and aviation precinct and provides for its expansion over time.
 - (d) Development within the Sunshine Coast Airport (Precinct MNS LPP-1) provides for the establishment of a range of uses and activities that are compatible with the primary function of the airport including aviation related business and industrial uses. Development at the Sunshine Coast Airport does not compromise the Sunshine Coast Activity Centre Network.
 - (e) Development and land use in the vicinity of the Sunshine Coast Airport is compatible with the Airport's existing and potential future operations, such that airport operations will not be affected and land use conflicts are minimised.
 - (f) Development is designed and sited in recognition of the constraints presented by the existing and potential airport operations, local flooding and drainage constraints and significant environmental areas, including the beaches, foreshore, *waterways* and *wetlands*.
 - (g) Development retains key landscape character and natural environment elements and protects significant views contributing to the character and landscape setting of the local plan area, including those to and from Mount Coolum, particularly from the David Low Way and Sunshine Motorway.
 - (h) Development in the Local centre zone at Pacific Paradise supports the role and function of the centre as a local (full service) activity centre providing a business and community focus for the local plan area. Development contributes to a low-scale, compact centre with a village character which provides an attractive interface and gateway to David Low Way and other local roads through high quality building design and the provision of landscape treatments, active *frontages* and off street car parking.
 - (i) Other smaller business centres at Mudjimba, North and South Marcoola and Twin Waters continue to function as local (not full service) activity centres providing a basic level of convenience goods and services to nearby residents. Local centres remain compact, with any expansion and enhancement limited to land included within the Local centre zone. No new business centres are established within the Maroochy North Shore local plan area.
 - (j) Development in the Low density residential zone, Medium density residential zone and Local centre zone is designed to protect and reinforce the low key coastal village character of the established residential communities within the local plan area.
 - (k) The Town of Seaside (Precinct MNS LPP-2) continues to be developed as an integrated residential community based on "new urbanism" principles. Development contributes to the establishment of a walkable integrated residential community providing a mix of dwelling types, supported by limited small scale local convenience shopping and local business uses. Development reflects the distinct architectural features and landscape design of existing development within the precinct.
 - (l) Development in the Tourist accommodation zone at Marcoola (Precinct MNS LPP-3 (Marcoola Tourist Accommodation)), located along David Low Way, remains a focus for visitor accommodation and *ancillary* uses. Development is designed to respond to local climatic conditions and airport noise, enhance facilities and pedestrian connectivity to the beach and foreshore, provide an attractive presentation to David Low Way and conserve the frontal dune system and remaining coastal health vegetation communities.

- (m) Development provides for the Twin Waters Resort to be protected as a significant tourist facility. Development on this site respects the environmental and landscape values of the area and maintains the existing configuration of low scale, small clusters of buildings set within extensive parklands and naturally vegetated areas.
- (n) Development provides for the Twin Waters golf course to be preserved as an important sport and recreation facility and valuable area of private open space contributing to the character and identity of the local plan area.
- (o) Land included in the Emerging community zone (Twin Waters West) is master planned and developed in a coordinated manner that:-
 - (i) protects and enhances significant environmental and riparian areas, including ecologically important areas;
 - (ii) avoids or mitigates the potential adverse impacts of flooding constraints and other coastal hazards that affect this land; and
 - (iii) is compatible with, and does not adversely affect the safety and efficiency of, State transport infrastructure and State transport corridors and networks.
- (p) Development in the Emerging community zone (Twin Waters West) is integrated with the existing Twin Waters residential community and provides for the establishment of residential land uses that are sympathetic to, and in keeping with, the prevailing low density residential character of the area. Development incorporates large areas of public open space and focuses on connection to water as a key design and character element for the emerging residential community.
- (q) Development in the Emerging community zone (Twin Waters West) is designed in a manner which enhances connectivity and permeability while minimising adverse traffic and other amenity impacts on existing residential neighbourhoods to the east.
- (o)(r) Development retains identified sites in the Medium density residential zone for retirement facilities in order to preserve these sites for such uses in the future.
- (p)(s) Development in the Medium impact industry zone provides for a range of low to medium impact industrial uses that complement the existing and future operations of the Sunshine Coast Airport and service the local area. Development provides an attractive interface to major transport routes and the Sunshine Coast Airport.
- (q)(t) Development is supported by a network of open space to meet the needs of the local community and facilitates safe and convenient pedestrian and cycle connections between and around key destinations within the local plan area.

7.2.18.4 Assessment criteria

Table 7.2.18.4.1 Criteria for assessable development

Performance Outcomes		Acceptable Outcomes	
Development in the Maroochy North Shore Local Plan Area		Generally (All Zones)	
PO1	Development provides for buildings, structures and landscaping that are consistent with and reflect the low key beachside character of the Maroochy North Shore local plan area in terms of form, composition and use of materials.	AO1.1	Development for a residential, business or community activity provides for building design which incorporates the following features:- (a) a mix of lightweight and textured external building materials, including timber finishes or masonry construction with variation provided in texture and detailing; (b) articulated, pitched, skillion or curved roof forms; (c) open or transparent balustrades; and (d) landscaping integrated into the building design.

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Performance Outcomes		Acceptable Outcomes	
		AO1.2	Development uses understated colour schemes and low-reflective roofing and cladding materials.
		AO1.3	Development provides for existing mature trees and stands of melaleuca and wallum heath to be retained and incorporated into the design of development.
PO2	Development contributes to the establishment of attractive and coherent <i>streetscapes</i> and gateways to reflect and enhance the sense of entry to, and the beachside character of, the Maroochy North Shore local plan area.	AO2.1	Development adjacent to an identified primary streetscape treatment area or gateway/entry point identified on Figure 7.2.18A (Maroochy North Shore local plan elements) :- (a) incorporates architectural and landscape treatments which enhance the sense of arrival to, and the beachside character of, the local plan area, and emphasise corner locations; and (b) incorporates building materials such as varied roof forms, changes in materials and variations in projected and recessed elements and facades.
		AO2.2	Development provides for streetscape improvements which complement existing or proposed streetscape works in the local area to ensure continuity of <i>streetscapes</i> and landscape design. Note—Section 9.4.2 (Landscape code) sets out requirements for streetscape landscapes including entry statement landscapes. Note—a landscape master plan may provide further guidance regarding particular streetscape treatments in a local plan area. Note—streetscape materials and palettes can be referenced from the Council's Infrastructure and Guideline Standards for each centre as required.
PO3	Development provides for the retention and enhancement of key landscape elements including significant views and vistas to and from Mount Coolum from the David Low Way and Sunshine Motorway, existing character trees, <i>wetlands</i> and other areas of significant <i>vegetation</i> including melaleuca and wallum heath contributing to the setting, character and sense of place of the Maroochy North Shore local plan area.	AO3.1	Development protects and emphasises, and does not intrude upon, the important sightlines and views to and from Mount Coolum, particularly from David Low Way and the Sunshine Motorway identified on Figure 7.2.18A (Maroochy North Shore local plan elements) .
		AO3.2	Development provides for the retention and enhancement of existing mature trees, stands of melaleuca and wallum heath.
PO4	The major open space links and scenic qualities offered by Mount Coolum National Park, the foreshore park and reserve system along the coastline, the Maroochy River Conservation Park and <i>wetland</i> areas and remnant <i>vegetation</i> along the Maroochy River are protected and enhanced.	AO4.1	Development protects and enhances the greenspace link along the coastal foreshore where identified on the Figure 7.2.18A (Maroochy North Shore local plan elements) .
		AO4.2	Development provides for the retention and enhancement of wallum heath, <i>wetland</i> areas and other native <i>vegetation</i> including adjacent to the foreshore, and the Maroochy River.

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Performance Outcomes		Acceptable Outcomes	
PO5	Development provides for the Twin Waters Golf Course to be retained as an important sport and recreation facility and open space area contributing to the character and identity of the local plan area.	AO5	No acceptable outcome provided.
PO6	Development on land with frontage to the Maroochy River facilitates the provision of a local ecological linkage as identified on Figure 7.2.18A (Maroochy North Shore local plan elements) .	AO6	No acceptable outcome provided. Editor's note— Section 8.2.3 (Biodiversity, waterways and wetlands overlay code) sets out requirements for the provision of ecological linkages.
PO7	Development in the local plan area is sited and designed in a manner which is responsive to local flooding and drainage constraints.	AO7	No acceptable outcome provided. Editor's note— Section 8.2.7 (Flood hazard overlay code) sets out requirements for development on flood prone land.
PO8	Development in the local plan area does not compromise the current or potential future role of the Sunshine Coast Airport or adversely impact on the existing or future operational needs of the Airport.	AO8	No acceptable outcome provided.
Development in the Community Facilities Zone in Precinct MNS LPP-1 (Sunshine Coast Airport)			
PO9	Development in the Community facilities zone in Precinct MNS LPP-1 (Sunshine Coast Airport) identified on Local Plan Map LPM21 :- (a) occurs in an integrated manner in accordance with the approved Sunshine Coast Airport Master Plan; (b) provides for uses and activities which support, and are consistent with, the efficient operation of the Sunshine Coast Airport as an international airport and aviation precinct; (c) is of a nature, scale and intensity that does not compromise the Sunshine Coast Activity Centre Network, with retail activities limited to small scale uses directly serving passengers; (d) incorporates a high standard of urban design and landscaping that creates attractive terminal facilities, buildings, streets and entrance roads that promote a sense of arrival and departure and provide a favourable impression for tourists travelling to and from the airport; (e) provides for airport related business uses and other uses to be co-located to maximise urban efficiency and contribute to an integrated land use outcome; (f) provides a high level of amenity and effectively manages the potential for land use conflict with existing and likely future surrounding development; and (g) encourages public transport accessibility and use.	AO9	No acceptable outcome provided.

Performance Outcomes		Acceptable Outcomes	
Development in the Local Centre Zone			
PO10	Development in the Local centre zone supports the role and function of:- (a) the Pacific Paradise Local Centre as a local (full service) activity centre providing a range of convenience goods and services to local residents and visitors; and (b) other local centres as local (not full service) activity centres providing basic convenience goods and services.	AO10	No acceptable outcome provided.
PO11	Development in the Local centre zone:- (a) is sympathetic to the coastal village character of the local plan area; (b) contributes to the creation of a contemporary coastal built form and <i>streetscape</i> ; (c) creates vibrant and active streets and public spaces; and (d) provides continuous weather protection for pedestrians.	AO11	Development in the Local centre zone:- (a) provides for large floor plate retail uses such as <i>supermarkets</i> to be sleeved and located behind smaller scale, fine grain built form elements; (b) provides <i>primary active street frontages</i> , built to boundary, where identified on Figure 7.2.18A (Maroochy North Shore local plan elements) ; (c) has building openings overlooking the street; (d) provides all weather protection in the form of continuous awnings and/or light verandah structures with non-load bearing posts over footpath areas with mature or semi-mature shade trees planted along the <i>site frontage</i> adjacent to the kerbside; (e) ensures that signage is integrated with buildings; and (f) includes provision of landscaping, shaded seating and consistent and simple paving materials on footpaths.
PO12	Development in the Local centre zone at Pacific Paradise and South Maroocha achieves a high level of visual amenity and attractive presentation to David Low Way and promotes a gateway experience for visitors.	AO12	No acceptable outcome provided.
PO13	Development in the Local centre zone at Pacific Paradise and Maroocha, South provides for off street car parking and vehicular access arrangements which:- (a) avoids direct service vehicle and car park access to David Low Way; and (b) provides for service vehicle and car park areas to occur behind the active street <i>frontage</i> .	AO13	No acceptable outcome provided.
Development in Precinct MNS LPP-2 (Town of Seaside)			
PO14	Development in Precinct MNS LPP-2 (Town of Seaside) identified on Local Plan Map LPM21 :- (a) contributes to the establishment of a walkable, integrated residential community; (b) provides for a mix of dwelling types in accordance with relevant master plan and zoning land use allocations; (c) provides for building design which	AO14	Development complies with the requirements set out in subdivision permit no. 51480 (as modified by permit no. CCC03/0053) and the endorsed "Urban Code – Toward Community" for the Town of Seaside.

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Performance Outcomes		Acceptable Outcomes	
	<p>addresses the street, respects the scale and character of surrounding development and reflects the distinct architectural features of existing buildings within the precinct;</p> <p>(d) provides for landscape design consistent with the established character of existing development within the precinct;</p> <p>(e) provides for retail and commercial development to be limited to existing nodes and provide for small scale local goods and services only;</p> <p>(f) provides for the maintenance and enhancement of public access to the beach and foreshore;</p> <p>(g) protects the visual amenity of the road network; and</p> <p>(h) provides for the maintenance and enhancement of the environmental and landscape values of the area.</p>		
Development in the Tourist Accommodation Zone (Precinct MNS LPP-3, Marcoola Tourist Accommodation)			
PO15	<p>Development in the Tourist accommodation zone in Precinct MNS LPP-3 (Marcoola Tourist Accommodation) identified on Local Plan Map LPM21:-</p> <p>(a) provides a focus for high density tourist and airport related accommodation and ancillary retail and entertainment/catering uses that contribute to the tourism focus of the precinct and complement the Sunshine Coast Airport;</p> <p>(b) is designed in a manner which responds to local climatic conditions and the beachfront setting;</p> <p>(c) achieves a high level of visual amenity and attractive presentation to David Low Way;</p> <p>(d) provides interesting and diverse public outdoor spaces that extend around and through the Precinct and link the David Low Way to the beach;</p> <p>(e) avoids direct service vehicle and car park access to David Low Way;</p> <p>(f) conserves the frontal dune system from both direct and indirect impacts; and</p> <p>(g) protects the remaining wildflower heathland in the Precinct.</p>	AO15	<p>Development in the Tourist accommodation zone in Precinct MNS LPP-3 (Marcoola Tourist Accommodation):-</p> <p>(a) provides predominantly visitor accommodation with limited small scale business uses including cafes, restaurants and boutique shops located at ground level around appropriately designed entrances and internal spaces;</p> <p>(b) provides for non-residential uses which have a maximum gross leasable floor area of 150m², with such uses to be located on corner sites;</p> <p>(c) incorporates generous verandahs, balconies and terraces;</p> <p>(d) provides for buildings which address the frontages to David Low Way, internal access streets and main pedestrian areas;</p> <p>(e) is designed to create attractive and interesting public spaces including internal courtyards, squares and gardens that extend around and through the Precinct and link David Low Way to the beach;</p> <p>(f) incorporates appropriate ways of sheltering internal spaces from prevailing winds and mitigating aircraft noise;</p> <p>(g) does not gain direct access to David Low Way;</p> <p>(h) incorporates landscaping, comprising native species which reflect the existing character of the coastal dune vegetation;</p> <p>(i) incorporates dense landscaping along the David Low Way frontage of the site to soften building forms</p>

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Performance Outcomes		Acceptable Outcomes	
			and provide an attractive presentation to the street; (j) provides for all buildings, structures and retaining walls, to be set back a minimum of 10 metres from the seaward boundary of the lot; and (k) retains the remaining wildflower heathland.
Development in the Tourist Accommodation Zone (Twin Waters Resort)			
PO16	Development in the Tourist accommodation zone at Twin Waters Resort provides for:- (a) the retention of the site as a significant tourist facility; (b) buildings which are low rise and respect the scale of surrounding development and vegetation; (c) the protection of significant environmental areas including melaleuca wetlands, coastal heath and other significant vegetation; (d) building and landscape design which provides for small clusters of buildings set within extensive parklands and naturally vegetated areas; (e) development infrastructure with sufficient capacity to accommodate additional demand; and (f) appropriate address of potential airport noise.	AO16	No acceptable outcome provided.
Development in the Medium Density Residential Zone (Menzies Drive Pacific Paradise)			
PO17	Development in the Medium density residential zone located at Menzies Drive, Pacific Paradise, retains and enhances a dense vegetated buffer to North Shore Connection Road and the Sunshine Motorway to effectively screen development from the road.	AO17	No acceptable outcome provided.
PO18	Development in the Medium density residential zone on Lot 5 SP217624 located at Menzies Drive, Pacific Paradise, provides for this site to be preserved for the purpose of providing a retirement facility.	AO18	No acceptable outcome provided.
Development in the Medium Impact Industry Zone			
PO19	Development in the Medium impact industry zone provides for medium to low impact industrial uses that support the existing and future Sunshine Coast Airport operations and service the local plan area.	AO19	No acceptable outcome provided.
PO20	Development in the Medium impact industry zone achieves a high standard of design and landscaping, especially along the frontage to David Low Way, North Shore Connection Road, Runway Drive (airport access road) and the Sunshine Coast Airport.	AO20	No acceptable outcome provided.
Development in the Emerging Community Zone (Twin Waters West)			
PO21	Development in the Emerging community zone is master planned to ensure that development occurs in a logical and coordinated manner.	AO21	Development is undertaken in accordance with an approved Master Plan and Infrastructure Agreement.

Performance Outcomes		Acceptable Outcomes	
PO22	Development in the Emerging community zone provides for residential uses at a scale and intensity, and in a configuration that is consistent with and sympathetic to the established low density residential character of the adjoining Twin Waters residential community.	AO22	In partial fulfilment of Performance Outcome PO22:- Development provides for:- (a) low density residential areas uses within the development to achieve:- (i) a minimum lot size of 500400m ² ; and (ii) lots less than 500m ² not exceeding 12% of the total number of lots; and (iii) a maximum density of 12 lots per hectare of the net developable area; and (iv) an average lot size of at least 700m ² ; and (b) limited Multi-unit residential uses which are:- (i) focused in discreet nodes high amenity locations with convenient access to public transport and active transport routes; (ii) have a maximum residential density of 40 equivalent dwellings per hectare; and (iii) comprise a maximum of 15% of the net developable area.
PO23	Development in the Emerging community zone maintains or improves the amenity of neighbouring premises having regard to:- (a) overshadowing; (b) privacy and overlooking; (c) building character and appearance; and (d) building massing and scale as seen from neighbouring premises.	AO23	In partial fulfilment of Performance Outcome PO23:- Development for Multi-unit residential uses does not adjoin or overlook a residence in the existing Twin Waters residential community.
PO24	Development in the Emerging community zone provides for adequate flood immunity (including safe refuge) and emergency access arrangements while avoiding any adverse off-site flooding impacts.	AO24	No acceptable outcome provided.
PO25	Development in the Emerging community zone emphasises the role of water as a key character element and lifestyle feature of the community.	AO25	No acceptable outcome provided.
PO26	Development in the Emerging community zone provides for an extension of the existing Twin Waters waterway system and the establishment and management of channels and waterbodies in a manner that:- (a) protects and improves flood storage capacity; (b) avoids adverse impacts on coastal processes and coastal resources; (c) protects ecologically important areas and other significant environmental areas; (d) does not result in an adverse change to the tidal prism of the adjacent Maroochy River; (e) avoids or minimises impacts arising from:-	AO26	No acceptable outcome provided. Editor's note—Section 9.4.6 (Stormwater management code) sets out requirements for constructed waterbodies. Editor's note—the Planning scheme policy for development works provides guidance and specifies standards in relation to constructed waterbodies.

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Performance Outcomes		Acceptable Outcomes	
	<p>(i) altered stormwater quality and flow;</p> <p>(ii) waste water;</p> <p>(iii) the creation or expansion of non-tidal artificial waterways;</p> <p>(f) avoids or minimises the release and mobilisation of nutrients that may increase the risk of algal blooms; and</p> <p>(g) meets best practice hydraulic and environmental standards, including no deterioration in water quality in surrounding waterways, wetlands and waterbodies.</p>		
PO27	Development in the Emerging community zone provides for the waterway system to be established and operated in accordance with an approved lake management plan.	AO27	No acceptable outcome provided.
PO28	Development in the Emerging community zone provides for the ongoing maintenance and management of any constructed waterbody and associated infrastructure, taking into account whole of life cycle costing and the provision of an ongoing funding source (i.e. sinking fund).	AO28	No acceptable outcome provided. Editor's note—Section 9.4.6 (Stormwater management code) sets out requirements for constructed waterbodies. Editor's note—the Planning scheme policy for development works provides guidance and specifies standards in relation to constructed waterbodies.
PO29	Development in the Emerging community zone provides for a legible and permeable local road network that provides for:- (a) primary access to the site at the Ocean Drive/David Low Way intersection; (b) local access to the site via the Stillwater Drive/Esperance Drive intersection and Godreys Road; and (c) other points of access as appropriate to distribute traffic and enhance local connectivity. Note—indicative road linkages/access points are identified on Figure 7.2.18A (Maroochy North Shore local plan elements).	AO29	No acceptable outcome provided.
PO30	Development in the Emerging community zone provides for the protection and enhancement of Settler's Park as a recreation park, local heritage place and gateway entry feature for the Pacific Paradise and Twin Waters communities.	AO30	Development ensures that any reconfiguring of boundaries of Settler's Park required to accommodate upgrading of the David Low Way/Ocean Drive intersection, achieves the following:- (a) no net loss in the size of the park area; (b) no reduction in park embellishments; (c) improved levels of protection for all mango trees within the park with a minimum curtilage around the mango trees of 15 metres to the east and west and 10 metres to the north and south; and (d) high quality streetscape and landscape treatments that enhance the setting and interpretation of the local heritage place (including the in situ mango trees) and present an attractive gateway entry feature for

Performance Outcomes		Acceptable Outcomes	
			<p>the Pacific Paradise and Twin Waters communities.</p> <p>Editor's note—Section 8.2.9 (Heritage and character areas overlay code) sets out requirements for development on and adjacent to heritage places.</p> <p>Editor's note—Settler's Park is one of two local heritage places located in the Emerging community zone (Twin Waters West).</p>
PO31	<p>Development in the Emerging community zone provides for a subdivision layout and transport infrastructure to be designed, located and sequenced having specific regard to:-</p> <p>(a) improving local connectivity;</p> <p>(b) minimising adverse traffic impacts on existing residential areas; and</p> <p>(c) respecting reflecting the amenity and character of the adjoining Twin Waters residential community (including but not limited to the provision of generous verge widths).</p>	AO31	<p>In partial fulfilment of Performance Outcome PO31:-</p> <p>Development does not locate any road higher than a local street classification under the Sunshine Coast 2031 functional transport hierarchy immediately adjacent to existing residential lots.</p> <p>Editor's note—Section 9.4.8 Transport and parking code sets out the requirements for the provision of transport infrastructure.</p> <p>Editor's note—the Planning scheme policy for the transport and parking code and the Planning scheme policy for development works provides guidance and specifies standards in relation to the provision of transport infrastructure.</p>
PO32	<p>Development in the Emerging community zone provides for a legible and permeable active transport network with a walkable waterfront along a significant portion of the waterway system and cycle and pedestrian links which connect with:-</p> <p>(a) residential neighbourhoods to the east;</p> <p>(b) the regional pedestrian and cycle path adjacent to the Sunshine Motorway; and</p> <p>(c) the Maroochy River and foreshore</p> <p>Note—indicative pedestrian/cycle links are identified on Figure 7.2.18A (Maroochy North Shore local plan elements).</p>	AO32	No acceptable outcome provided.
PO33	<p>Development in the Emerging community zone provides for an extension of the principal pedestrian and cycle linkage and the coastal path, as identified on Figure 7.2.18A (Maroochy North Shore local plan elements), which is designed to sensitively respond to site characteristics, protect ecologically important areas and enhance pedestrian and cycle connectivity.</p>	AO33	No acceptable outcome provided.
PO34	<p>Development in the Emerging community zone provides for an open space network that has sufficient area and is configured in a manner that:-</p> <p>(a) meets the open space and recreational needs of residents and visitors; and</p> <p>(b) maximises public access to the waterfront.</p>	AO34	<p>In partial fulfilment of Performance Outcome PO34:-</p> <p>Development provides for a minimum of 25% of the total site area as public open space, exclusive of waterbodies and waterways, and may include the following:-</p> <p>(a) walkable waterfront areas and linear parks; and</p>

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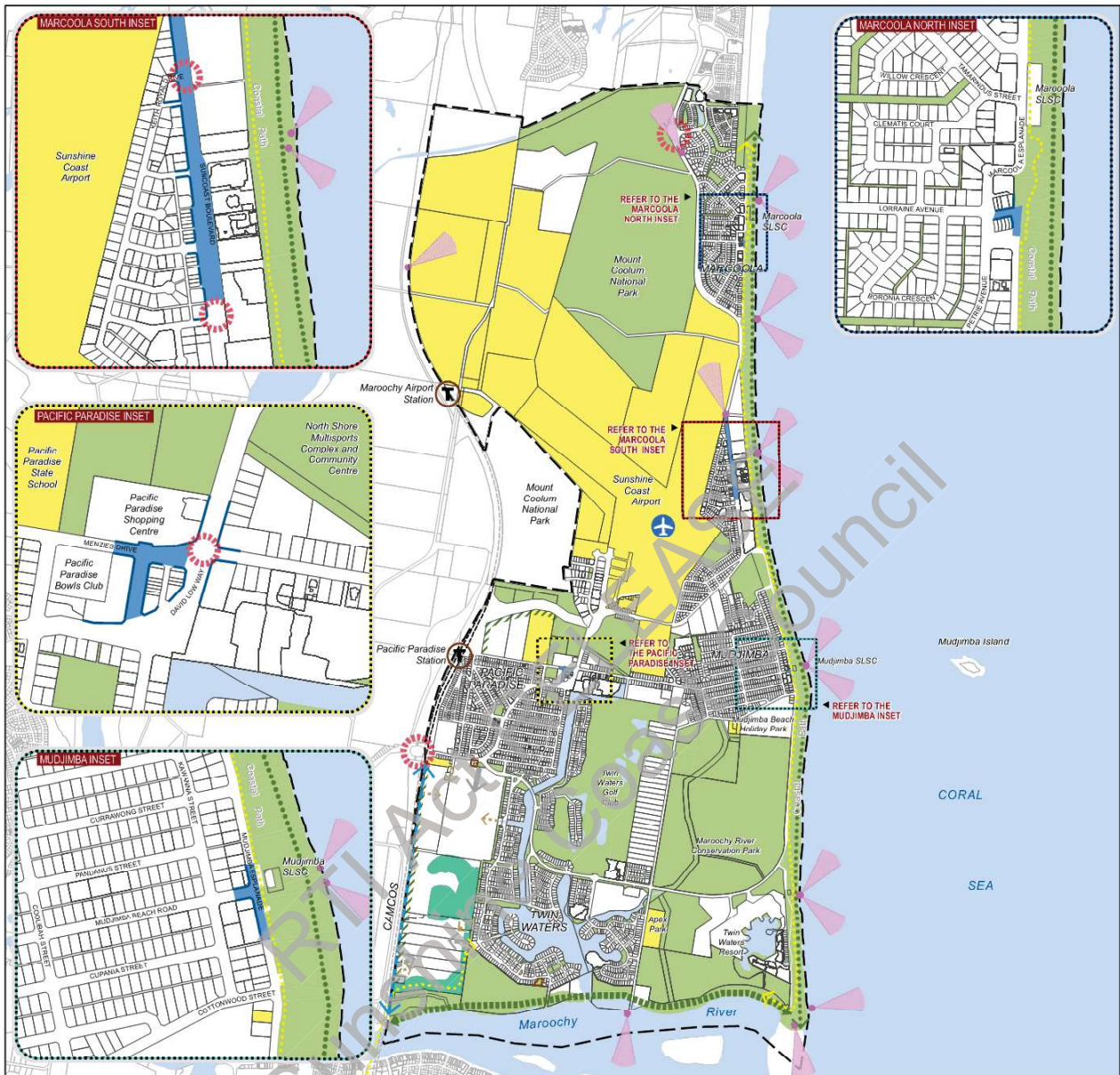
Performance Outcomes		Acceptable Outcomes	
PO35	<p>Development in the Emerging community zone provides for:</p> <p>(a) the protection, buffering, connection and rehabilitation of <u>ecologically important areas</u> (including the Maroochy River and the Maroochy River Conservation Area) and the Conservation and rehabilitation areas identified on Figure 7.2.18A (Maroochy North Shore local plan elements); and</p> <p>(b) the management of coastal hazards and coastal processes to protect land vulnerable to coastal erosion and tidal inundation.</p> <p>Editor's note—Section 8.2.3 (Biodiversity, waterways and wetlands overlay code) sets out <i>buffer</i> distances and other requirements for development on land adjacent to conservation areas and other <i>ecologically important areas</i>.</p>	AO35.1	<p>(b) <u>conservation areas and buffers</u>.</p> <p>Development does not occur within the Conservation and rehabilitation area identified on Figure 7.2.18A (Maroochy North Shore local plan elements).</p>
		AO35.2	<p>Development provides for a rehabilitated <u>buffer</u> where identified on Figure 7.2.18A (Maroochy North Shore local plan elements), with a minimum width of:-</p> <p>(c) 30 metres around all edges of the <u>ecologically important area</u> on Lot 2 on RP103117;</p> <p>(d) 50 metres from the south-eastern boundary of the <i>site</i>, linking the <u>ecological important areas</u> to the north and south; and</p> <p>(e) 150 metres measured from the southern boundary of Lot 3 on RP842858-Highest Astronomical Tide (HAT).</p> <p>Note—some <u>buffers</u> may provide the opportunity for linear open space where demonstrated that the linear open space will not compromise the protection of retained vegetation, rehabilitated areas and the management of coastal hazards and coastal processes.</p>
PO36	<p>Development in the Emerging community zone provides for a substantial <u>landscape buffer</u> and separation area to the Sunshine Motorway and the proposed Dedicated Public Transport Corridor (CAMCOS), in order to provide effective visual and acoustic separation and screening.</p> <p>Note—the <u>landscape buffer</u> and separation areas are to be designed in manner which does not compromise flood solutions for the <i>site</i>.</p>	AO36	<p>Development adjacent to the Sunshine Motorway and the proposed Dedicated Public Transport Corridor (CAMCOS) provides a densely planted <u>landscape buffer</u> along the full frontage of the <i>site</i>, which:-</p> <p>(a) is located separate to the proposed Dedicated Public Transport Corridor (CAMCOS);</p> <p>(b) has a minimum width of 40 metres along the northern and central frontages of the <i>site</i>; and</p> <p>(c) has a minimum width of 150 metres along the southern frontage of the <i>site</i>; and</p> <p>(d) incorporates fencing wholly contained within the <i>site</i> at the eastern edge of the <u>landscape buffer</u>.</p> <p>Note—the indicative location and extent of the <u>landscape buffer</u> is shown on Figure 7.2.18A (Maroochy North Shore local plan elements).</p>
PO37	<p>Development in the Emerging community zone does not compromise the provision or operation of the proposed Dedicated Public Transport Corridor (CAMCOS).</p>	AO37	No acceptable outcome provided.
PO38	<p>Development in the Emerging community zone does not compromise the safe and efficient management or operation of state-controlled roads, including the Sunshine Motorway and David Low Way.</p>	AO38	No acceptable outcome provided.
PO39	<p>Development in the Emerging community zone achieves acceptable noise levels for residents and visitors by mitigating adverse impacts on the</p>	AO39	<p>No acceptable outcome provided.</p> <p>Editor's note—Section 9.4.3 Nuisance code sets out requirements for preventing or</p>

Performance Outcomes	Acceptable Outcomes
<p><u>development from noise generated by State transport infrastructure and transport networks.</u></p>	<p><u>minimising the exposure of proposed sensitive land uses to nuisance emissions.</u></p> <p><u>Editor's note—the Planning scheme policy for nuisance provides guidance for managing nuisance.</u></p>

RTI Act RELEASE
Sunshine Coast Council

Part 7

Sunshine Coast COUNCIL
 Sunshine Coast Planning Scheme 2014
 Maroochy North Shore Local Plan Area



LEGEND

	Local Plan Area Boundary		Dedicated Public Transport Corridor (CAMCOS)
	Waterway ^{Note 1}		Dedicated Public Transport Corridor
	Primary Active Street Frontage		Principal Pedestrian/Cycle 1 linkage
	Primary Streetscape Treatment Area		Coastal Path ^{Note 4}
	Local Ecological Linkage		Through Block Pedestrian/Cycle Linkage
	GreenSpace ^{Note 1}		Future Transit Hub
	Conservation and Rehabilitation Area		Indicative Primary Road Linkage/Access Point
	Community Activity/Facility ^{Note 1}		Indicative Local Road Linkage/Access Point
	GreenSpace Link		Sunshine Coast Airport
	Gateway/Entry Point		
	Landscape Buffer		
	Significant View		
	Heritage Place ^{Note 2}		

Scale: 0 100 200 400 800 1200 1600 Metres
 1:31,000

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 Geocentric Datum of Australia 1994 (GDA94)

Note 1: For contextual purposes only.
Note 2: Refer to Heritage and Character Overlay maps in Schedule 2 (Mapping).
Note 4: Indicative alignment, subject to further investigation in some areas.

Figure 7.2.18A (Maroochy North Shore Local Plan Elements)

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 Amended 27 February 2017
 Sunshine Coast Planning Scheme 2014 - Proposed Twin Waters West Amendment - Post Notification Ministerial Review Version - April 2017

RTI Act RELEASE
Sunshine Coast Council

Part 8 (Overlays) - Section 8.2.7 (Flood hazard overlay code)

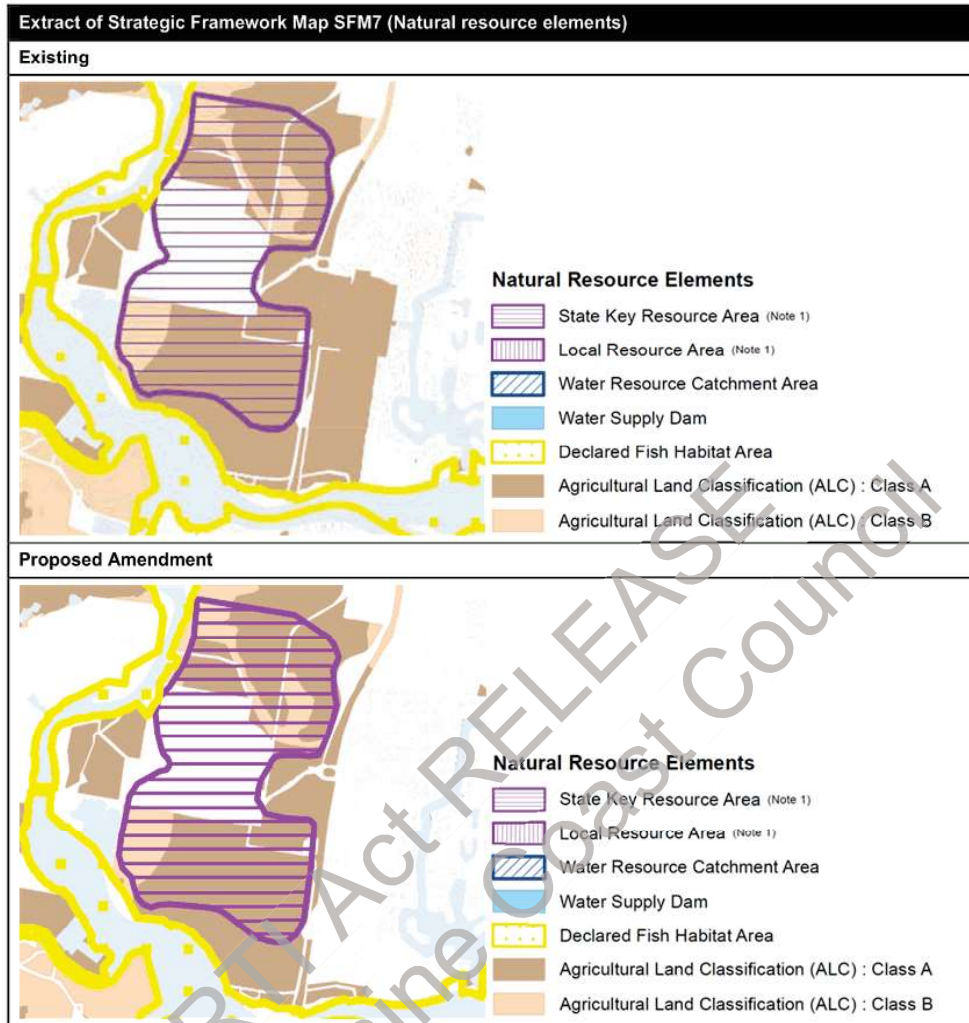
Table 8.2.7.3.2 Criteria for assessable development

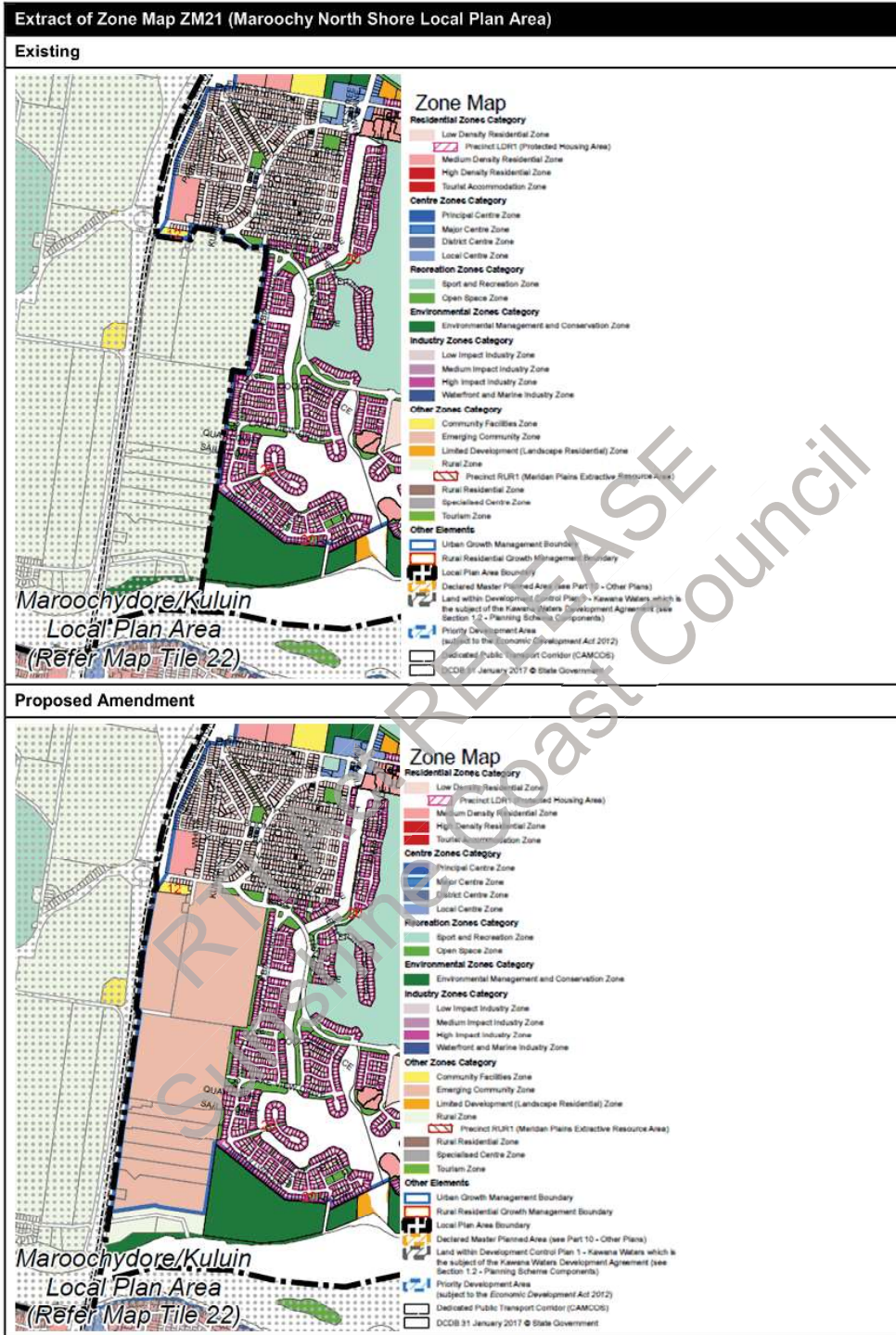
Performance Outcomes		Acceptable Outcomes	
Floodplain Protection			
PO1	Development is undertaken in a manner that ensures:- (a) natural hydrological systems are protected; (b) natural landforms and drainage lines are maintained to protect the hydraulic performance of <i>waterways</i> ; and (c) development integrates with the natural landform of the <i>floodplain</i> rather than modifying the landform to suit the development.	AO1	No acceptable outcome provided.
PO2	In a flood and inundation area, as identified on a Flood Hazard Overlay Map, or in areas otherwise determined as being subject to the <i>defined flood event (DFE)</i> or <i>defined storm tide event (DSTE)</i> :- (a) any development involving physical alteration to land does not occur; or (b) urban and rural residential development, and other development involving the erection of a building or structure or significant earthworks satisfies at least one of the following criteria:- (i) the development is on land that is already committed to urban or rural residential development by an approval granted prior to the commencement of the planning scheme; (ii) the development is on land identified in a structure plan or a local plan as an area intended for urban development; (iii) the development is redevelopment or infill development within an existing developed area; (iv) an overriding community need in the public interest has been demonstrated that warrants approval of the development despite its occurrence within an area subject to flooding; or (v) the development is for the <i>infrastructure</i> identified on the planning scheme maps; and (c) achieving flood immunity for	AO2	No acceptable outcome provided.

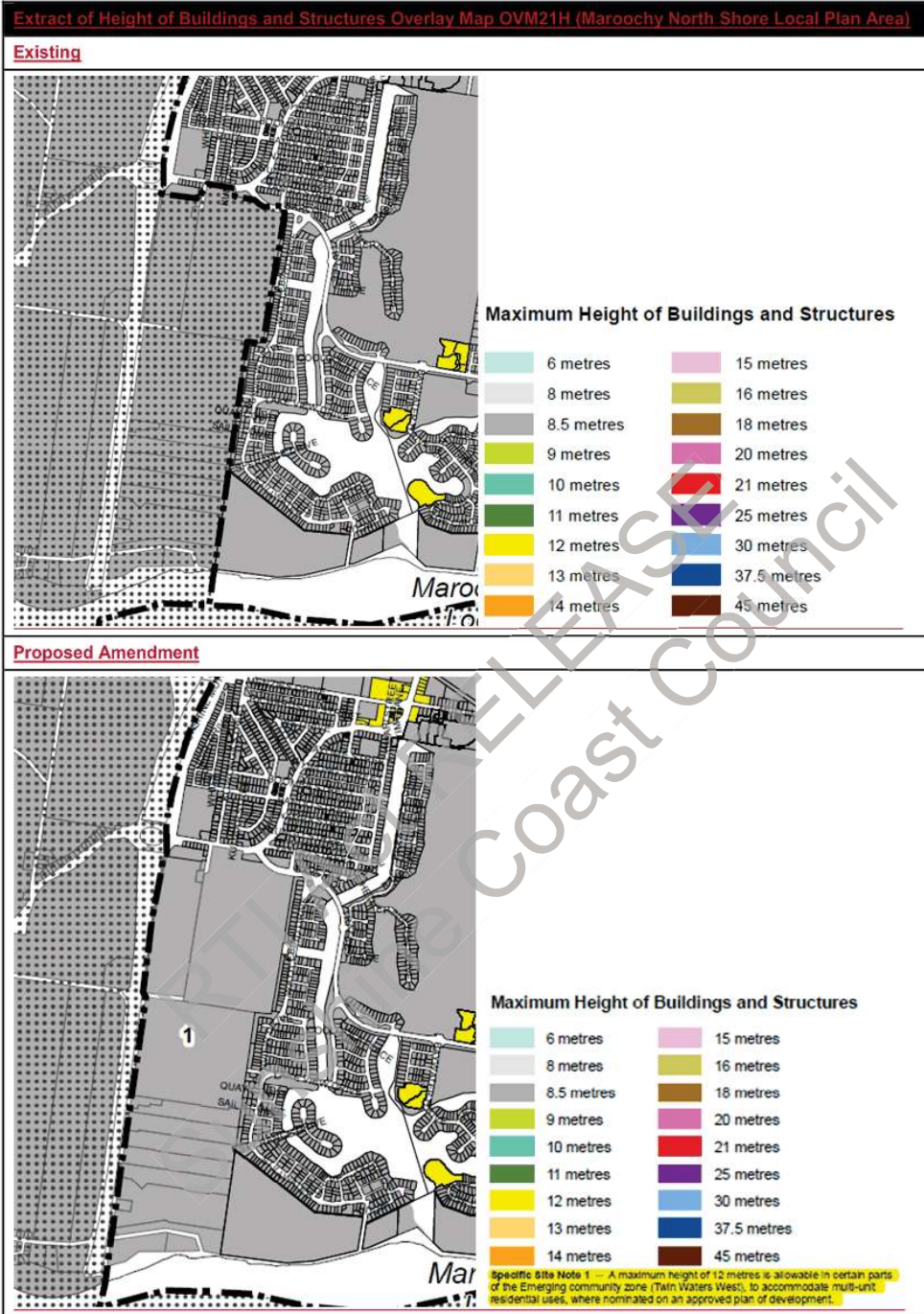
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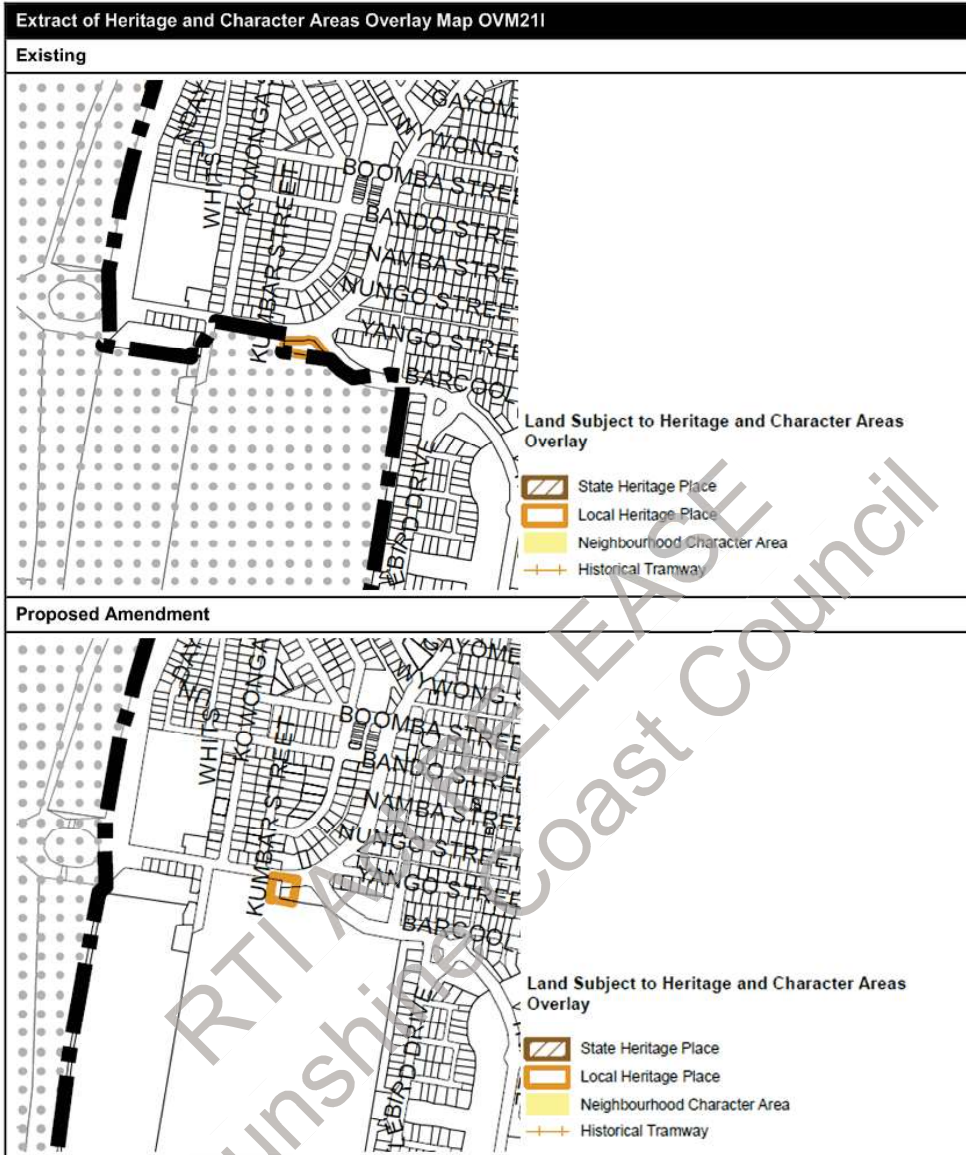
Part 8

Appendix B Amendment schedule (mapping)









RTI Act RELEASE
Sunshine Coast Council