



Recognising and upholding excellence in local government

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7 August 2020

Hon. Cameron Dick

Treasurer and Minister for Infrastructure and Planning

BY EMAIL: bestplanning@dsdmip.qld.gov.au

RE: Feedback to the Queensland Government in relation to the Proposed Streamlining Planning Assessment to Value-add to Queensland's Economy

Background

OSCAR is a non-partisan umbrella organisation representing member resident associations united by their determination that the Sunshine Coast and Noosa Planning Schemes serve the public interest.

OSCAR aims to support member organisations by:

1. Advocating to local and state government and the public on policy issues that are of regional significance and of concern to our members;
2. Acting to resolve issues of strategic or region-wide relevance that are referred by member organisations;
3. Representing the member organisations on region-wide matters of interest to the community;
4. Maintaining awareness and responsiveness through frequent and regular ordinary meetings and dialogue with member organisations; and
5. Practising professional, honest and ethical conduct.

On behalf of our member groups we regularly respond to government and relevant parliamentary consultation opportunities.

General Comments

OSCAR congratulates the Queensland Government on its response to the COVID-19 pandemic and the actions undertaken by the Government so far. We appreciate the need for governments at all levels to ensure that all opportunities for economic and social recovery are explored.

We also acknowledge the Government's continued engagement with the community in relation to many pressing issues confronting local communities, of which the COVID-19 pandemic is uppermost in the minds and lives of many Queenslanders.

We note the aim of the State Government is to:

- facilitate the removal of unnecessary barriers for low risk uses
- provide incentives and certainty to ensure economic value-adding uses can recommence or be established across the state where appropriate
- encourage investment as soon as possible and in-line with community expectations

OSCAR appreciates the opportunity to provide feedback on the proposed amendments. We also appreciate that the changes proposed under the ***Unite and Recover banner*** are temporary in nature and will be reversed or extended at

an appropriate time and following review and consultation. We also note that the changes are not mandatory but will be an “opt in” choice for each local government.

While generally supportive of the principles of the proposals under the ***Economic recovery initiative***, we do have some concerns about how individual local governments may see and use them. OSCAR is committed to the principles of Ecologically Sustainable Development as we appreciate so is the State Government under both the Local Government Act 2009 and the Planning Act 2016.

However, we are somewhat concerned and have made specific comments on the individual proposals, that some local governments and businesses may see the proposals as an easy way to achieve something they have not been able to achieve previously under existing regulations and planning processes. We also acknowledge that there are instances in local government where processes are lengthy, inconsistent and would appear to be restrictive.

As a strong supporter of Ecologically Sustainable Development we seek assurance from the State Government that the pillars of social/cultural and environmental sustainability as well as economic development are maintained during the process of economic repair.

We also seek assurance from the State Government that these proposals are not permitted to impact negatively on existing communities, landholders and tenants both residential and commercial across the State of Queensland and that their rights are maintained.

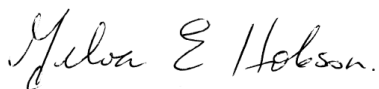
OSCAR also seeks assurance from the State Government that monitoring of the implementation and outcomes of the proposals is undertaken with open and transparent reporting to the whole community. We request that those local governments that “opt in” also monitor and report to their local communities on the implementation, process and outcomes of any proposals they decide to adopt. These processes do not need to be onerous, but would give the community some confidence that they will be kept informed.

We have dealt individually with each proposal.

We have also responded to the Proposed Amendments to DA rules on this submission and give support to the three amendments, with some comments and suggestions.

Thank you again for the opportunity to provide feedback.

Yours sincerely

A handwritten signature in cursive script that reads "Melva E Hobson".

Melva Hobson PSM

President

Organisation Sunshine Coast Association of Residents (OSCAR)

OSCAR responses to the Economic Recovery Initiative

Streamlining planning assessment to value-add to Queensland's economy

Proposed changes	OSCAR response and comment
Proposal 01 A Planning approval is not needed for a change in tenancy within an existing building. If the business is expected in that zone and only minor building work will occur	Overall OSCAR supports this proposal as outlined following. Important consideration must be given under the changes as to definitions and interpretation, for example “minor work” and “impacts on sensitive uses be effectively mitigated”. Parking in some centre zones and mixed use zones are already at capacity. Should the change in tenancy increase the required amount of parking, this would need to be considered prior to a business investing in minor building changes or be conditioned. OSCAR would not support extending these provisions to capturing other zones at this point in time, without further community consultation. The “no disadvantage” rule should be applied to existing businesses.
Proposal 02 Reduce the level of development assessment for certain businesses seeking to establish where the use is anticipated in that zone	OSCAR has considerable concerns re this proposal. OSCAR would be more prepared to support such a proposal if previous development history indicated a willingness on the part of some developers to comply with the existing Code. There are examples on the Sunshine Coast, where the boundaries have been pushed already and relaxations being sought for existing conditions imposed. Should ALL the planning scheme requirements be met without the need for conditions being imposed then OSCAR would be more inclined to accept such a proposal. We do not support the inclusion of other uses or zones in this proposal. Should the proposal require the setting of any conditions outside the relevant Planning Scheme then the expected uses should become Impact assessable.
Proposal 03 Allow businesses to make minor expansions without planning approval	OSCAR gives conditional support to this proposal, purely on the grounds of “social distancing” provisions under COVID 19 rules and where there is no intention of expanding the footprint of the overall building. Clear definitions of “small” increases of GFA would need to be developed and applied and consideration given of any impacts on existing neighbours in terms of parking, noise, operating hours and out of hour's traffic movements.
Proposal 04 Allowing for low risk uses in rural and tourism zones that can support local economies as accepted development	OSCAR supports some elements of this proposal , but not all. In areas and zones as long as the requirements under the existing codes are fully met and do not require the setting of conditions we would support the proposal. OSCAR would support additional opportunities for local economies in rural areas to be available. We also understand and appreciate the move to home offices/business in residential areas as a consequence of COVID 19. Some “home” businesses are not suitable for residential areas: eg storage and sale of garden products; storage and sale of fish products; businesses where increased traffic is an imposition on existing residents; where insufficient parking is available; and/or parking is only available on residential streets; where the business operates outside working hours; and businesses such as motor mechanics and small cabinet makers that make noise beyond that expected in residential areas and also have high levels of traffic.
Proposal 05 Confirm the existing position that temporary events such as school fetes	OSCAR supports this in principle with the condition that there is some regulation of such activities and their provisions for traffic and parking that does not necessarily infringe in an adverse manner on surrounding areas and for a defined period of time and the regulations are articulated

and markets do not require planning approval.	<p>in a clear and concise manner and consistent within the jurisdiction. One of the key issues for such permits on the Sunshine Coast is the amount of time to obtain a permit, with unreasonable periods of time (in excess of 6 weeks) required to “allow” other areas of council to comment.</p> <p>There is an issue of compliance zealousness, where for example a large showground/sporting complex in the hinterland has provision for overnight stays, on State-owned land but managed by Council, where the group who cover all the maintenance and provision of facilities for the area are not allowed to supply power to such sites despite the only other operator some distance away being unable to supply RV sites. There need to be clear rules and consistent application but not “petty” and to the extent that an organisation is unable to continue to improve community sporting facilities owing to the restrictions.</p>
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OSCAR responses to the proposed amendments to the DA rules

Proposed amendment	OSCAR response and comment
Proposed changes to Public notification	<p>OSCAR supports this change. However, we would further support that local government should undertake all of the following to meet the preferred means of information provision of a range of residents. As a community we are in a period of flux, where many, particularly young people rely on digital information delivery, while others still rely on print media for information and some do not use either medium. Therefore we would recommend that local governments use all methods where available. For example on the Sunshine Coast the Sunshine Coast Daily print/hard copy version has ceased. However, across the coast there are weekly printed local district papers, eg the Coolumberrin Advertiser a weekly print paper covering the area north of the Maroochy River to the Sunshine Coast/Noosa boundary. Similarly other areas across the Sunshine Coast have similar papers reaching across the region. As well as providing information to residents who prefer that medium, it also supports small local papers.</p> <p>However, at the same time the notice should ALWAYS (is at SCRC) included on the assessment manager’s website. We would also recommend that in this period of flux that notice be given to surrounding residents within an agreed area. There should be consultation with the local community on what is reasonable coverage for distribution.</p> <p>OSCAR recommends extending the public notification timeframe during the period of COVID-19 where members of the community are fragile and not expecting development changes.</p>
Sign on land requirements	OSCAR endorses this change fully
Notice to adjoining landowners’ requirement	OSCAR endorses this change fully